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Vol. 86

No. 35

Tuesday, September 3, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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1991
vol. 86

Tuesday, September 3, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley, Ward - 8.

Noted absent at first roll call:

Supervisors Britt, Maher, Migden - 3.

Quorum present.

Supervisor Britt excused. (See infra.)

Supervisor Maher was noted present at 2:48 p.m.

Supervisor Migden was noted present at 2:12 p.m.

Supervisor Britt Excused

The Clerk announced that Supervisor Britt requested to be excused from attending today's meeting.

Supervisor Kennedy, seconded by Supervisor Achtenberg, moved to excuse Supervisor Britt from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

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COMMUNICATION

The Clerk presented the following communication from the City Attorney concerning the Central Freeway.

September 3, 1991

Honorable Doris M. Ward
President
Board of Supervisors
235 City Hall
San Francisco, CA 94102

RE: Recommendation that the Board convene a Workshop on
Central Freeway Alternatives on October 1, 1991.

Dear President Ward:

In the aftermath of public controversy surrounding the delayed reopening of the Central Freeway, the Board has passed four resolutions urging Caltrans to study alternatives to its proposed reconstruction project. In April of this year, the Board urged Caltrans to prepare an Environmental Impact Statement prior to commencement of the project. Subsequent resolutions urged the City Attorney to investigate potential environmental law violations and seek injunctive relief to stop the project; urged the Federal Highway Administration to withhold grant funding until alternatives were considered; and supported Senator Kopp's proposed amendment of a highway bill to prohibit Caltrans from acting without approval of the Board. Copies of these Resolutions are attached for your convenience.

Following these resolutions, we have engaged in discussions with Caltrans, seeking agreement to a clear City role in the assessment and selection of repair alternatives. These discussions have included Supervisor Maher, representatives of Senator Marks and Senator Kopp, the Mayor's Office, and various interested City departments. As our discussions proceeded, Caltrans commenced its proposed project, including partial demolition of the Oak/Fell ramps.

On Wednesday, August 28, 1991, Caltrans presented the final draft of a study that included a wide range of alternative freeway alignments. At the same time, Caltrans requested that the City provide direction on how to proceed. Discussion of this request led to the recommendation that Caltrans and the Board convene a workshop to review feasible alternatives and determine a final course of action. A copy of the Caltrans' study has been filed with the Clerk of the Board.

Each freeway alternative presents a complex set of beneficial and detrimental effects. A joint City/Caltrans workshop would allow the Board and the Mayor to hear public testimony and expert opinions before choosing any alternative. City departments are now studying

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each alternative, and will be prepared to discuss them at such a workshop, along with Caltrans engineers. The question of whether the closed Oak/Fell ramps should be totally demolished would be aired at the workshop so that the Board will have sufficient facts on which to base a decision.

We further recommend that the workshop be scheduled on October 1, 1991. This date would allow the Board to take testimony prior to the time that Caltrans must decide whether to totally demolish the Oak/Fell ramps. Now that Caltrans has begun actual demolition, this course will keep Caltrans moving as efficiently as possible, while acting under specific guidance from the City.

Very truly yours,

LOUISE H. RENNE
City Attorney

/s/
John D. Coope
Deputy City Attorney

Recess

At the request of President Ward, the Board recessed at the hour of 4:43 p.m. to convene in closed session pursuant to Government Code Section 54956.9(c) to meet with the City Attorney to decide whether to initiate litigation against the State of California regarding the future of the Central Freeway.

Reconvening of the Board

The Board, at the hour of 5:08 p.m., reconvened.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney to decide whether to initiate litigation against the State of California regarding the future of the Central Freeway.

Adopted

[Central Freeway]
Motion instructing the City Attorney to write to Caltrans and offer not to file lawsuit over the Central Freeway if Caltrans agrees to a

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public process concerning alternatives to the Central Freeway and they agree to immediately tear down the portion of the freeway north of Fell Street not now being used.

File 171-91-14

Supervisor Maher presented for immediate adoption.

Supervisor Maher, seconded by Supervisor Alioto, moved adoption.

Supervisor Hallinan, seconded by Supervisor Achtenberg, moved to continue consideration to October 7, 1991.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Achtenberg, Hallinan, Hsieh, Migden, Ward - 5.

Noes: Supervisors Alioto, Gonzalez, Kennedy, Maher, Shelley - 5.

Absent: Supervisor Britt - 1.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Noes: Supervisors Hallinan, Ward - 2.

Absent: Supervisor Britt - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Agreement]
Ordinance approving First Amendment to Option Agreement (to lease real property) between Redevelopment Agency and the City and County, acting by and through the Port Commission. (Port Commission)

File 172-91-8, Ordinance No. 330-91

Finally passed.

Passed for Second Reading

[Hall of Justice Cafeteria Lease]
Ordinance approving and adopting Hall of Justice Cafeteria legal documents and authorization to lease. (Real Estate Department)

File 62-91-4, Ordinance No.

Passed for second reading.

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[Reward Authorization]

Ordinance authorizing payment of reward to Does one through five.
(Mayor)

File 155-91-2, Ordinance No.

Passed for second reading.

Adopted

[Amendment to Lease]

Resolution authorizing amendment to an existing lease of real property at 298 Monterey Boulevard for use as an Outpatient Mental Health Clinic, for the Department of Public Health. (Real Estate Department)

File 64-91-25, Resolution No. 752-91

Adopted.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Andy Powers against the City and County by payment of \$27,500. (City Attorney)

File 45-91-46, Ordinance No.

(Supervisor Court No. 918-270.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of California State Automobile Association against the City and County by payment of \$364,000 in three equal non-interest bearing installments. (City Attorney)

File 45-91-47, Ordinance No.

(Superior Court No. 858-301.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Kenneth Holman and Watson Marquardt against the City by payment of \$17,500. (City Attorney)

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File 45-91-48, Ordinance No.

(Superior Court No. 892-377.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of City and County v. Daniel Duke Chuck, Cynthia Velez, et al., upon receipt of the sum of \$7,500 and dismissal of complaint. (City Attorney)

File 46-91-11, Ordinance No.

(Municipal Court No. 059-710.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Sherman A. Ford V. Juan Esquivel, et al., upon receipt of the sum of \$16,000 and dismissal of complaint. (City Attorney)

File 46-91-12, Ordinance No.

(San Mateo Superior Court No. 333-720)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of City and County v. Joseph Vincent Guillory, Victoria Guillory, et al., and Civil Service Employees Insurance Companies, Inc., v. City and County, Michael Reesink, Jose Robles, et al., upon receipt of the sum of \$15,000 and dismissal of complaint. (City Attorney)

File 46-91-13, Ordinance No.

(Superior Court No. 877-043.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Sidney Campbell v. Michael Sweets, Alonzo Sweets, Ella Sweets, Fred Hill, San Francisco Boy's Home, Catholic Youth Organization, et al., upon receipt of the sum of \$11,000 and dismissal of complaint. (City Attorney)

File 46-91-14, Ordinance No.

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(Superior Court No. 904-273.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Anthony Hartzer v. Charles Robinson, Sally Robinson, et al., upon receipt of the sum of \$5,000 and dismissal of complaint. (City Attorney)

File 46-91-15, Ordinance No.

(Superior Court No. 929-495.)

Passed for second reading.

Adopted

[State Disability Insurance]

Resolution authorizing enrollment of Classification 5404 Special Assistant for Program Development in the State Disability Insurance Program. (Employee Relations Division)

File 89-91-15, Resolution No. 759-91

Adopted.

[State Disability Insurance]

Resolution authorizing enrollment of Classifications A-104 Assistant Supervisor, Enforcement Division and 9761 Assistant to CAO II in the State Disability Insurance Program. (Employee Relations Division)

File 89-91-16, Resolution No. 760-91

Adopted.

Recommendations of Economic and Social Policy Committee

Adopted

[Stop Intersections]

Resolution designating "Stop" intersection at Amber Drive, Duncan Street and Red Rock Way. (Economic and Social Policy Committee)

File 18-91-10, Resolution No. 755-91

(Stop Signs - Establish

Amber Drive, Duncan Street and Red Rock Way, southeast and northwest corners, stopping Duncan Street traffic (making this intersection an all-way stop.)

Adopted.

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[Parking Regulations]

Resolution enacting parking regulations on various streets.
(Economic and Social Policy Committee)

File 19-91-10, Resolution No. 756-91

(Perpendicular (90) Degree Parking - Establish
Fitzgerald Avenue, north side, between Jennings and Ingalls
Streets.

Two-Hour Parking Limit, 7 A.M. to 6 P.M. Monday through Saturday
Oak Street, both sides, between Van Ness Avenue and Franklin
Street.)

Adopted.

[Traffic Regulations]

Resolution enacting traffic regulations, various streets.
(Department of Parking and Traffic)

File 20-91-12, Resolution No. 757-91

(No U-Turn - Establish
The Embarcadero, northbound, at Bay Street.

Tow Away No Stopping, Except Van Pools and Commuter Buses, 7
A.M. to 9 A.M. and 3 P.M. to 6 P.M. - Rescind

Drumm Street, from 20 feet to 86 feet south of Washington Street
(66 foot-zone, at meters #219, #221 and #223).

Tow Away No Stopping Anytime - Establish
Mission Street, south side, between 4th and 5th Streets.

No Turn on Red, 7 A.M. to 8 P.M. Everyday - Establish
Howard Street, westbound, at 4th Street.

4th Street, southbound, at Howard Street.

Tow Away No Parking Anytime - Establish
1301 Potrero Avenue from 106 feet to 159 feet south of 25th
Street (53-foot zone).

2789 - 25th Street from 47 feet to 88 feet east of Potrero
Avenue (41-foot zone).

1498 Utah Street from 138 feet to 194 feet south of 25th Street
(56-foot zone, starting from the south building line to 56 feet
southerly).

Utah Street, 194 feet south of 25th Street from the west side of
the dead-end to 35 feet east (35-foot zone).

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Tow Away No Stopping Anytime - Establish

Powell Street, west side, from Geary Street to 50 feet northerly. (Note: This 50 foot zone is to accommodate a short right-turn-only lane).

Presidio Avenue, west side, from Jackson Street to 18 feet southerly (18-foot zone for Muni trolley bus turn clearance).

Army Street, north side, from Connecticut Street to approximately 200 feet west of Evans Avenue (480-foot zone).

Army Street, south side, from the east line of Connecticut Street to approximately 200 feet west of Evans Avenue (550-foot zone).

Tow Away Lane Must Turn Right - Establish

Powell Street, southbound, at Geary Street.

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of City Services Committee

Finally Passed

[Tow Away, Bus Zones]

Ordinance amending Traffic Code, prohibiting stopping in bus zones, defining vehicles parked or stopped in bus zones as obstructing traffic, thereby permitting the towing away of illegally parked or stopped vehicles from bus zones. (Supervisors Shelley, Achtenberg, Gonzalez, Alioto, Hsieh, Kennedy, Migden)

File 124-91-5, Ordinance No. 332-91

(Adds Section 62A and amends Sections 59 and 71b.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

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NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance amending the Annual Appropriation Ordinance, 1991-92, File 101-91-2, Ordinance No. 303-91, giving effect to revenue changes pursuant to Charter Section 6.208 and adjusting appropriations to meet the requirements of the Art Commission pursuant to Charter Section 6.400, as a pre-requisite to levy a tax pursuant to Charter Section 6.208. (Controller)

File 101-91-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Tax Rate Setting]

Ordinance providing revenue and levying taxes for City and County purposes for the fiscal year ending June 30, 1992. (Controller)

File 74-91-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Tax Rate Setting]

Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 1992. (Controller)

File 74-91-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

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[Tax Rate Setting]

Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 1992. (Controller)

File 74-91-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Adopted

[Appropriations]

Resolution establishing the appropriations limit for fiscal year 1991-92 pursuant to California Constitution Article XIII B. (Controller)

File 101-91-6, Resolution No. 772-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Airport--Rates and Charges]

Resolution making a finding that the schedule of rates and charges for common use facilities established by the Airports Commission effective July 1, 1991, will be sufficient to pay for maintenance and operation expenses of the Airport and will not require any tax subsidy. (Airport)

File 27-91-5, Resolution No. 750-91

(Filed August 21, 1991.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Airport--Rates and Charges]

Resolution approving changes to the schedule of rates and charges for common use facilities at San Francisco International Airport as established by Airports Commission; companion measure to File 27-91-5. (Airport)

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File 27-91-5.1, Resolution No. 751-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Grant - State Funds]

Resolution authorizing the Department of Health, AIDS Office, to accept and expend grant of \$682,910 from California Department of Health Services for HIV Care Consortia Grant Services under the Comprehensive AIDS Resources Emergency (C.A.R.E.) Disaster Relief Program, Title II, and to authorize expenditure of grant funds to finance Civil Service positions for provision of these services; placing \$230,000 on reserve. (Department of Public Health)

File 146-91-37.1, Resolution No. 778-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to apply for continuation grant not to exceed \$2,250,000, which includes indirect costs based on 20 percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the Epidemiologic Study of the Natural History of HIV/AIDS in Homosexual/Bisexual Men previously enrolled in studies of Hepatitis B Infection and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-64, Resolution No. 775-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Consideration Continued

[Mortgage Revenue Bonds]

Resolution stating the intention of the City and County to issue City and County Mortgage Revenue bonds to finance the construction

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of multi-family residential development. (Supervisor Gonzalez)
File 170-91-5, Resolution No.

Supervisor Hsieh, seconded by Supervisor Gonzalez, moved to continue consideration to September 9, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted

[Ship Repair - Seven Point Plan]

Resolution urging the Mayor to urge the Port Commission to adopt a Seven Point Policy Plan in support of the survival of the ship repair industry in San Francisco, and urging that such policies be implemented by the Mayor, Port Commission, and Executive Director of the Port. (Supervisors Gonzalez, Hallinan, Migden, Achtenberg, Kennedy, Hsieh, Shelley, Ward, Alioto)

File 173-91-4, Resolution No. 744-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

In connection with the above item, Supervisors Migden, Achtenberg, Kennedy, Hsieh, Shelley, Ward, Alioto requested to be added as co-sponsors.

[Jurisdictional Transfer]

Resolution transferring jurisdiction from Department of Parking and Traffic to the Recreation and Park Department, the rooftop of St. Mary's Square Garage, 433 Kearny Street being a portion of Block 258, Lot 3, and adopting findings pursuant to City Planning Section 101.1. (Real Estate Department)

File 199-91-1, Resolution No. 777-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

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Recommendations of Administration and Oversight Committee

Finally Passed

[Staff Report]

Ordinance fixing schedules of compensation effective July 1, 1991, to be paid under the provisions of Charter Section 8.404 to employees occupying Classification 9163 Transit Operator and related trainee class, by establishing the dollar value difference between vacation retirement and Health Service Benefits to be paid into the Transport Workers Union San Francisco Municipal Railway Trust Fund, incorporating by reference a Memorandum of Understanding, and by establishing conditions and benefits of employment other than wages for said classifications, provisions hereof to remain in effect until the adoption of any ordinance establishing different provisions. (Administration and Oversight Committee)

File 104-91-1, Ordinance No. 328-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Gonzalez - 2.

Adopted

[Appointments]

Resolution appointing members to the Video Display Terminal Advisory Committee, representing the business and scientific communities as nominated by the San Francisco Chamber of Commerce and the San Francisco Labor Council; making findings waiving residency requirements. (Administration and Oversight Committee)

File 92-91-10, Resolution No. 761-91

(John R. Cammidge, business/Chamber of Commerce;
Dr. August Colenbrader, scientific/Chamber of Commerce;
Laura Stock, Occupational Health, scientific/Labor Council.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Appointments]

Resolution appointing members to the Assessment Appeals Board, terms expired, for the three-year term ending September 1, 1994. (Administration and Oversight Committee)

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File 92-91-29, Resolution No. 762-91

(Samuel Martinez, member, vice himself;
Joseph Morales, alternate, vice himself
Blayne Asher, alternate, vice himself.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan,
Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

From Administration and Oversight Committee
Without Recommendation

Adopted

[Memorandum of Understanding]
Resolution ratifying wage freeze Memorandum of Understanding with
Service Employees International Union Locals 250, 535 and 790.
(Supervisor Shelley)

File 93-91-3, Resolution No. 763-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan,
Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisor Britt - 1.

[Memorandum of Understanding]
Resolution ratifying Memorandum of Understanding with Glazers,
Architectural Metal and Glass Workers Local Union No. 718.
(Employee Relations Division)

File 93-91-4, Resolution No. 764-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan,
Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisor Britt - 1.

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[Memorandum of Understanding]

Resolution ratifying wage freeze Memorandum of Understanding with Stationary Engineers, Local 39. (Supervisor Gonzalez)

File 93-91-5, Resolution No. 765-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisor Britt - 1.

[Memorandum of Understanding]

Resolution ratifying wage freeze Memorandum of Understanding with Automotive Machinists Union, No. 1305. (Supervisor Gonzalez)

File 93-91-6, Resolution No. 766-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisor Britt - 1.

[Memorandum of Understanding]

Resolution ratifying wage freeze Memorandum of Understanding with Laborers, Local 261. (Supervisor Gonzalez)

File 93-91-7, Resolution No. 767-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisor Britt - 1.

[Memorandum of Understanding]

Resolution ratifying extension of 1989-91 Memorandum of Understanding with Transport Workers Union Local 250-A (for 7410 Automotive Service Workers). (Supervisor Gonzalez)

File 93-91-8, Resolution No. 768-91

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Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisor Britt - 1.

[Memorandum of Understanding]

Resolution ratifying extension of 1989-1991 Memorandum of Understanding with Transport Workers Union of America, AFL-CIO and Supervisory Employees Association Muni Transport Workers Union, Local 200. (Supervisor Gonzalez)

File 93-91-9, Resolution No. 769-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisor Britt - 1.

[Memorandum of Understanding]

Resolution ratifying an extension of the July 1, 1990-June 30, 1991 Memorandum of Understanding with Plumbers, Local 38 through June 30, 1992. (Employee Relations Division)

File 93-91-11, Resolution No. 770-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisor Britt - 1.

Recommendations of Economic and Social Policy Committee

Adopted

[Zoning Map Change]

Resolution adopting Final Negative Declaration of environmental impact, finding and determining that a reclassification of property to include six additional lots within the boundaries of the Nob Hill Special Use District would have no significant effect on the environment. (Supervisor Maher)

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File 36-91-7, Resolution No. 758-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Passed for Second Reading

[Zoning Change - Nob Hill Special Use District]
Ordinance adopting changes in property use classification as an amendment to the zoning map of the City and County of property located at 1208-50 Jones Street, 1275 Clay Street and 1298 Sacramento Street, Lots 27, 30, 43, 44-55, 58-88, 90, 125 and 132-142 (formerly Lot 126) in Assessor's Block 221 within an RM-4 (Mixed Residential, High Density) District (Lots 27, 43, and 125 and portions of Lots 44/55, 58/88 and 90) and RM-3 (Mixed Residential, Medium Density) District (Lots 132-142 and the remainder of Lots 44/55, 58/88 and 90) to include said property within the boundaries of the Nob Hill Special Use District. (Supervisor Maher)

File 36-91-7.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Nob Hill Special Use District]
Ordinance amending City Planning Code, relating to eating and drinking uses, private clubs, awnings, canopies and marquees, and finding consistency with the priority policies set forth in City Planning Code Section 101.1; companion measure to Files 36-91-7, 36-91-7.1. (Supervisor Maher)

File 115-91-9, Ordinance No.

(Amends Section 238.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Minority, Women and Local Business Enterprises - Prime Contracts]
Ordinance amending Administrative Code, relating to the procurement of professional architectural and engineering services from Latino

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owned architect/engineering firms and the procurement of medical services from Black-owned medical services providers. (Supervisors Kennedy, Gonzalez)

File 97-91-44, Ordinance No.

(Amends Section 12D.11.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Water Conservation]

Ordinance amending Housing Code, to require compliance with water conservation requirements by residential buildings of R-3 occupancy within three years. (Supervisors Migden, Alioto, Shelley, Ward)

File 188-91-8, Ordinance No.

(Amends Chapter 12A.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

In connection with the above item, Supervisors Shelley and Ward requested to be added as co-sponsors.

Adopted as Amended

[Main Post Office]

Resolution urging the Federal Government to restore to its pre-earthquake condition, to the maximum extent possible, and to maintain for posterity the main post office, located at 7th and Mission, and to maintain the ((box office)) post office box numbers and zip codes assigned to the postal patrons of the main post office; and urging the Mayor to request the City's Federal Legislative advocate to work with the San Francisco Legislative Delegation in Washington D.C., with the direction to take all actions necessary and appropriate to carry out the intent of this resolution as speedily as possible. (Supervisors Britt, Kennedy, Migden, Alioto, Gonzalez, Hallinan, Shelley, Ward)

File 13-91-15, Resolution No. 782-91

Supervisor Kennedy, seconded by Supervisor Hallinan, moved to amend title, line five by replacing "box office" with "post office box"; amend page one, line 30 by replacing "Mail" with "Post Office" and amend page two, line four, by replacing "Box Office" with "Post Office Box".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9

Absent: Supervisors Britt, Migden - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

In connection with the above item, Supervisors Shelley and Ward requested to be added as co-sponsors.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of objections to Report of Tax Collector of delinquent Rent Arbitration and Stabilization fees.

File 109-91-3

The President inquired if there was anyone present who wished to speak.

There being no response, the President declared the public hearing closed.

From Tax Collector

Adopted

[Rent Stabilization and Arbitration Liens]

Resolution confirming report of delinquent charges for Rent Arbitration and Stabilization fees submitted by the Tax Collector, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 109-91-3, Resolution No. 773-91

The representative from the Tax Collector's Office reported on its meeting with various property owners and submitted a list, dated September 3, 1991, with a recommendation that the Board of Supervisors amend the report by deleting the forty-four names on the list (copy of which is on file with the Clerk of the Board of Supervisors).

Tuesday, September 3, 1991

Supervisor Kennedy, seconded by Supervisor Achtenberg, moved to amend the report.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Gonzalez - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Gonzalez - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen;
Ace Washington;
David Sayson.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Migden requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Commendation]

Resolution commending and honoring Sally A. Brunn for her distinguished service to her City and community. (Supervisors Migden, Britt, Hallinan, Shelley, Gonzalez, Achtenberg, Alioto, Maher, Ward)

Tuesday, September 3, 1991

File 6-91-12, Resolution No. 754-91

(August 26, 1991 - Introduced in Board for consideration on September 3, 1991.)

Supervisor Migden, seconded by Supervisor Gonzalez, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Supervisor Achtenberg requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

Motion directing the Budget Analyst to prepare an analysis of conflict of interest cases declared by the Public Defender's Office. (Supervisor Gonzalez)

File 98-91-2

(August 26, 1991 - Introduced in Board for consideration on September 3, 1991.)

Supervisor Gonzalez, seconded by Supervisor Achtenberg, moved to amend by adding: "and, be it FURTHER MOVED, That the report must be completed in consultation with an acknowledged leader in the field that can provide a legal opinion on this."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Tuesday, September 3, 1991

Absent: Supervisors Britt, Maher - 2.

The Board resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference

Adopted

[U.S. Supreme Court Confirmation]

Resolution supporting the San Francisco Human Rights Commission's statement in opposition to the confirmation of Clarence Thomas to the United States Supreme Court. (Supervisors Hallinan, Britt)

File 13-91-24, Resolution No. 749-91

(August 26, 1991 - Introduced in Board for consideration on September 3, 1991.)

Adopted.

[Rapid Shine Services]

Resolution urging the Mayor to urge the Parking and Traffic Commission and the Executive Director of Parking and Traffic to enter into a lease of five years with Rapid Shine Services at the Golden Gateway Garage. (Supervisors Kennedy, Ward)

File 47-91-13, Resolution No. 783-91

(August 26, 1991 - Introduced in Board for consideration on September 3, 1991.)

Adopted.

[Memorandum of Understanding]

Resolution ratifying wage freeze Memorandum of Understanding with Operating Engineers, Local 3. (Supervisor Gonzalez)

File 93-91-13, Resolution No. 771-91

(August 26, 1991 - Introduced in Board for consideration on September 3, 1991.)

Adopted.

[Parking Fines]

Resolution memorializing the Municipal Court of the City and County of San Francisco to increase the fines for illegally parking in bus zones from \$25 to \$100. (Supervisors Achtenberg, Shelley)

Tuesday, September 3, 1991

File 124-91-5.1, Resolution No. 774-91

(August 26, 1991 - Introduced in Board for consideration on
September 3, 1991.)

Adopted.

[Peninsula Commute Service]

Resolution authorizing execution of an amended Joint Powers Agreement between the City and County, the San Mateo County Transit District and the Santa Clara County Transit District pertaining to future planning, oversight and operation of the peninsula commute service. (Supervisor Hsieh)

File 172-91-16, Resolution No. 776-91

(August 26, 1991 - Introduced in Board for consideration on
September 3, 1991.)

Adopted.

[Marina District Liquefaction Study]

Resolution appointing a task force to make recommendations on how the City should respond to the findings in the Marina District Liquefaction Study. (Supervisor Hsieh)

File 174-91-6, Resolution No. 779-91

(August 26, 1991 - Introduced in Board for consideration on
September 3, 1991.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-35, Resolution No. 746-91

Tuesday, September 3, 1991

(Harry Britt, member, Board of Supervisors, August 28 - September 3; Sherri Chiesa, member, Public Utilities Commission, September 4 - 7; Gordon Chin, member, Public Utilities Commission, September 11 - 14; Sharon Duvall, member, Airports Commission, August 26; Edward Helfeld, Executive Director, Redevelopment Agency, September 3 - 6; Michael Hennessey, Sheriff, October 25 - 29; Michael Huerta, Director, Port, September 23 - 26; Fred Jordan, Jr., Chief Probation Officer, September 18 - 22; Frederick Postel, Chief, Fire Department, September 20 - 29; L.A. Turpen, Director of Airports, September 4 - 9, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

Adopted

[Street Closing]

Resolution authorizing temporary closing of a portion of 29th Street, between Church and Sanchez Streets (1/2 block), from Tuesday, September 10, 1991 through Wednesday, October 23, 1991, from 10:00 a.m. to 2:00 p.m. daily, for an alternative recess area for school children attending St. Paul's School while filming by Walt Disney Studios.

File 42-91-47, Resolution No. 748-91

Supervisor Ward presented for immediate adoption.

Adopted.

[Ballot Boxes]

Resolution urging the Chief Administrative Officer to urge the Registrar of Voters to place ballot boxes at all forty-four (44) public housing facilities operated by San Francisco Housing Authority.

File 60-91-11, Resolution No. 747-91

Supervisors Alioto, Kennedy, Ward, Hsieh, Achtenberg presented for immediate adoption.

Adopted.

[Shipyard]

Resolution endorsing measures to increase ship repair work in San Francisco to make the ship repair industry a viable industry in our wonderful port.

File 173-91-5, Resolution No. 745-91

Supervisors Kennedy, Ward, Gonzalez presented for immediate adoption.

Tuesday, September 3, 1991

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Voter Pamphlet]

Ordinance amending Administrative Code by amending Section 5.80 to delete the requirement that the voter pamphlet indicate how individual supervisors voted on the submission of ballot arguments. (Supervisor Maher presented.) Referred to Administration and Oversight Committee.

File 97-91-47

[Memorandum of Understanding]

Resolution ratifying Memorandum of Understanding with Transport Workers Union of America, AFL-CIO and Supervisory Employees Association Muni Transport Workers Union, Local 200. (Supervisor Kennedy presented.) Referred to Administration and Oversight Committee with request it be considered as soon as possible.

File 93-91-14

[Memorandum of Understanding]

Resolution ratifying Memorandum of Understanding with Transport Workers Union of America, AFL-CIO and Supervisory Employees Association Muni Transport Workers Union, Local 200 for claims classifications. (Supervisor Kennedy presented.) Referred to Administration and Oversight Committee with request it be considered as soon as possible.

File 93-91-15

[Memorandum of Understanding]

Resolution ratifying Memorandum of Understanding with Transport Workers Union of America, AFL-CIO and Transport Workers Union, Local 250-A for Units 8-AA, 8-BB, 8-FF, 11-Z and 11-CC. (Supervisor Kennedy presented.) Referred to Administration and Oversight Committee with request it be considered as soon as possible.

Tuesday, September 3, 1991

File 93-91-16

[Pedi-Cabs]

Resolution urging the Port, the Chief of Police and the Interdepartmental Staff Committee on Traffic and Transportation to investigate and consider the establishment of designated passenger pick-up and drop-off sites for pedicabs. (Supervisor Alioto presented.) Referred to City Services Committee.

File 171-91-12

Requests for Hearings:

File 171-91-13, By Supervisor Maher: To consider the City's traffic control system in effect when events are held at Candlestick Park. Referred to Economic and Social Policy Committee.

Introduced by the President at the Request of Departments

Referred to Committee

File 45-91-53. [Settlement of Lawsuit] Authorizing settlement of litigation of Nancy Wurnitsch against the City and County by payment of \$15,000. (City Attorney). Administration and Oversight.

File 90-91-3. [Landmark] Designating the Park Emergency Hospital at 811 Stanyan Street as a landmark pursuant to Article 10 of the City Planning Code. (Department of City Planning). Economic and Social Policy.

File 101-91-10. [Government Funding] Appropriating \$23,000,000 Department of Public Health-Community Mental Health Services, for various capital improvement projects, for the creation and deletion of one position; companion measure to File 102-91-5. RO #91040. (Controller). Finance.

File 101-91-11. [Government Funding] Appropriating \$19,573, Department of Public Works, for capital improvement project (various location, traffic signal modification) and certifying \$19,573 from capital improvement project (various locations, traffic signal modification) to cover overage above 10% of contracted amount pursuant to provisions of Charter Section 7.203. RO #91063. (Controller). Finance.

File 101-91-12. [Government Funding] Appropriating \$750,000, Department of Public Works, for capital improvement project (evaluation of Bayside Treatment). RO #91064. (Controller). Finance.

File 102-91-5. [Public Employment] Amending Annual Salary Ordinance, 1991-92, Department of Public Health, San Francisco General Hospital, reflecting the addition and deletion of one position Classification A942 Senior Associated Administrator, for

Tuesday, September 3, 1991

the 1987 Mental Health Skilled Nursing Facility Bond Program; companion measure to File 101-91-10. (Civil Service Commission). Finance.

File 164-91-4.1. [Street Vacation - Sale] Ordering vacation of the portion of Powhattan Avenue lying between Andover and Moultrie Streets; authorizing sale thereof to the owners of the two abutting properties for \$25,000 and \$5,000, respectively; and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 164-91-4. (Department of Public Works). Economic and Social Policy.

File 27-91-6. [Airport Financing] Authorizing Airports Commission to file application and accept grant of \$11,967,472 from Federal Aviation Administration for assistance in improvement at Airport (A.I.P. No. 12). (Airports Commission). Finance.

File 30-91-19. [Mental Health Facility] Adopting Final Environmental Impact Report finding that the construction of Mental Health Skilled Nursing Facility at San Francisco General Hospital will have no significant impact on the environment and making Proposition M findings. (City Planning). Finance.

File 47-91-12. [Parking Rate Changes] Approving changes in parking rates at City facilities. (Department of Parking & Traffic). Finance.

File 64-91-28. [Lease of Property] Authorizing lease of real property at 30 Van Ness Avenue for Department of Public Works, for offices of the Bureau of Architecture. (Real Estate Department). Finance.

File 132-91-1.1. [Grant - State Funds] Authorizing the San Francisco Arts Commission to accept and expend \$30,000 of California Arts Council funds as requested and approved in Resolution No. 186-91, File 132-91-1 to support information and referral services to artists seeking combined living and studio space; to provide arts education resources linking schools and community centers to artists and arts organizations. (Arts Commission). Finance.

File 132-91-8. [Grant - Federal Funds] Authorizing the San Francisco Arts Commission to apply for, accept and expend \$12,000 of National Endowment for the Arts funds for conservation work on artwork in the North Terminal of San Francisco International Airport damaged by the October 17th Loma Prieta Earthquake. (Arts Commission). Finance.

File 132-91-9. [Grant - State Funds] Authorizing the San Francisco Arts Commission retroactively, to apply for, accept and expend \$51,643 of California Arts Council funds to provide operational support for the Arts Commission's State-Local Partnership Program; to support artists honoraria and exhibition programs for the Arts Commission Gallery; to support arthouse, an information and referral program for artists seeking live/work space; and for live/work development consultant services; and further authorizing indirect costs to be waived. (Arts Commission). Finance.

Tuesday, September 3, 1991

File 134-91-3. [Presidio Planning Grant - Department of the Interior] Authorizing the Director of Planning to apply for, accept and expend funds from the National Park Service totalling \$77,035 for a period of twelve months for Presidio Planning, including 10% for indirect costs. (Department of City Planning). Finance.

File 147-91-1.1. [Grant - Federal Funds] Authorizing the City Librarian to accept and expend funds not to exceed \$34,530 available from the United States Department of Education for a project Read Outreach Program. (Public Library). Finance.

File 147-91-2.1. [Grant - Federal Funds] Authorizing the City Librarian to accept and expend funds not to exceed \$25,477 available from the United States Department of Education for a project Read Outreach Program. (Public Library). Finance.

File 147-91-8. [Grant - Federal Funds] Authorizing the San Francisco Public Library to apply for, accept and expend funds not to exceed \$20,000 available through the California State Library from the Library Services and Construction Act for improve library services to Spanish-speaking immigrant populations for fiscal year 1991-92. (Public Library). Finance.

File 164-91-4. [Street Vacation] Declaring intention of Board of Supervisors to vacate the portion of Powhattan Avenue lying between Andover and Moultrie Streets; and setting the date, hour and place for hearing all persons interested in the proposed vacation; companion measure to File 164-91-4.1. (Department of Public Works). Economic and Social Policy.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that City Attorney prepare resolution to memorialize the Congress and Senate to enact legislation to insure the preservation of the Main Post Office and to protect the mailing addresses of post office box holders displaced by the earthquake of October 17, 1989 and certain other post office box holders.

By Supervisor Kennedy, that letter of inquiry be sent to General Manager, Recreation and Park Department, to determine what the department is doing to combat the problems of harassment of people in the park at the Old Boy Scout Camp (Bercut ring) by intoxicated young men with their dogs.

By Supervisor Alioto, that letter of inquiry be sent to Executive Director, Department of Parking and Traffic, to determine the feasibility of installing Stop signs in the east-west direction of the intersection of Tenth and Irving Streets.

By Supervisor Alioto, that letter of inquiry be sent to Executive Director, Department of Parking and Traffic, to determine the possibility of re-opening the public restrooms in City-owned garages.

Tuesday, September 3, 1991

By Supervisor Alioto, that letter of inquiry be sent to Executive Director, Department of Parking and Traffic, to determine the possibility of shortening the bus zone in front of the Union Street Produce at 801 Union Street in order to add a yellow zone for the said business.

By Supervisor Gonzalez, that letter be sent to General Manager, Recreation and Park Department, transmitting copy of correspondence from Friends of Folsom Playground and inquiring what action can be done to address the lack of supervision and maintenance at Folsom Playground.

By Supervisor Gonzalez, that letter of inquiry be sent to General Manager, Municipal Railway, requesting investigation of proposal to help ease the parking problem which may take place due to the reconstruction of Montgomery Street, between Union and Greenwich Streets, as outlined in letter from a concerned citizen.

By Supervisor Gonzalez, that letter be sent to Chief of Police inquiring whether the Department can investigate the citizens' petition to reinstate the mounted police patrol unit to the McLaren Park Horse Stable located in the Louis Sutter Playground.

By Supervisor Maher, that letters be sent to Chief of Police, Director of Public Works and Executive Director, Department of Parking and Traffic, requesting representatives be present at the hearing to consider the City's traffic control system in effect when events are held at Candlestick Park, when the subject matter is being considered by the Economic and Social Policy Committee.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Rose Beatty (Supervisor Ward)

File 2-91-35

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:36 p.m. adjourned.

John L. Taylor, Clerk

Tuesday, September 3, 1991

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 18, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

17/91

Vol. 86

No. 36

Monday, September 9, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, September 9, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:18 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Maher, Shelley, Ward - 7.

Noted absent at first roll call:

Supervisors Britt, Gonzalez, Kennedy, Migden - 4.

Quorum present.

Supervisor Gonzalez excused, on official leave of absence.

Supervisor Kennedy was noted present at 2:19 p.m.

Supervisor Britt was noted present at 2:19 p.m.

Supervisor Migden was noted present at 2:20 p.m.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance amending the Annual Appropriation Ordinance, 1991-92, File 101-91-2, Ordinance No. 303-91, giving effect to revenue changes pursuant to Charter Section 6.208 and adjusting appropriations to meet the requirements of the Art Commission pursuant to Charter Section 6.400, as a pre-requisite to levy a tax pursuant to Charter Section 6.208. (Controller)

Monday, September 9, 1991

File 101-91-9, Ordinance No. 331-91

Finally passed.

[Hall of Justice Cafeteria Lease]
Ordinance approving and adopting Hall of Justice Cafeteria legal documents and authorization to lease. (Real Estate Department)

File 62-91-4, Ordinance No. 333-91

Finally passed.

[Tax Rate Setting]
Ordinance providing revenue and levying taxes for City and County purposes for the Fiscal Year ending June 30, 1992. (Controller)

File 74-91-1, Ordinance No. 341-91

Finally passed.

[Tax Rate Setting]
Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for the Fiscal Year ending June 30, 1992. (Controller)

File 74-91-2, Ordinance No. 342-91

Finally passed.

[Tax Rate Setting]
Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the Fiscal Year ending June 30, 1992. (Controller)

File 74-91-3, Ordinance No. 343-91

Finally passed.

[Reward Authorization]
Ordinance authorizing payment of reward to Does one through five. (Mayor)

File 155-91-2, Ordinance No. 345-91

Finally passed.

Monday, September 9, 1991

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Andy Powers against the City and County by payment of \$27,500. (City Attorney)

File 45-91-46, Ordinance No. 334-91

(Superior Court No. 918-270.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of California State Automobile Association against the City and County by payment of \$364,000 in three equal non-interest bearing installments. (City Attorney)

File 45-91-47, Ordinance No. 327-91

(Superior Court No. 858-301.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Kenneth Holman and Watson Marquardt against the City by payment of \$17,500. (City Attorney)

File 45-91-48, Ordinance No. 335-91

(Superior Court No. 892-377.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of City and County v. Daniel Duke Chuck, Cynthia Velez, et al., upon receipt of the sum of \$7,500 and dismissal of complaint. (City Attorney)

File 46-91-11, Ordinance No. 336-91

(Municipal Court No. 059-710.)

Finally passed.

Monday, September 9, 1991

[Settlement of Lawsuit]

Ordinance authorizing settlement of Sherman A. Ford v. Juan Esquivel, et al., upon receipt of the sum of \$16,000 and dismissal of complaint. (City Attorney)

File 46-91-12, Ordinance No. 337-91

(San Mateo Superior Court No. 333-720.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of City and County v. Joseph Vincent Guillory, Victoria Guillory, et al., and Civil Service Employees Insurance Companies, Inc., v. City and County, Michael Reesink, Jose Robles, et al., upon receipt of the sum of \$15,000 and dismissal of complaint. (City Attorney)

File 46-91-13, Ordinance No. 338-91

(Superior Court No. 877-043.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Sidney Campbell v. Michael Sweets, Alonzo Sweets, Ella Sweets, Fred Hill, San Francisco Boy's Home, Catholic Youth Organization, et al., upon receipt of the sum of \$11,000 and dismissal of complaint. (City Attorney)

File 46-91-14, Ordinance No. 339-91

(Superior Court No. 904-273.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Anthony Hartzer v. Charles Robinson, Sally Robinson, et al., upon receipt of the sum of \$5,000 and dismissal of complaint. (City Attorney)

File 46-91-15, Ordinance No. 340-91

(Superior Court No. 929-495.)

Finally passed.

Recommendations of Economic and Social Policy Committee

Monday, September 9, 1991

Finally Passed

[Zoning Change - Nob Hill Special Use District]

Ordinance adopting changes in property use classification as an amendment to the zoning map of the City and County of property located at 1208-50 Jones Street, 1275 Clay Street and 1298 Sacramento Street, Lots 27, 30, 43, 44-55, 58-88, 90, 125 and 132-142 (formerly Lot 126) in Assessor's Block 221 within an RM-4 (Mixed Residential, High Density) District (Lots 27, 43, and 125 and portions of Lots 44/55, 58/88 and 90) and RM-3 (Mixed Residential, Medium Density) District (Lots 132-142 and the remainder of Lots 44/55, 58/88 and 90) to include said property within the boundaries of the Nob Hill Special Use District. (Supervisor Maher)

File 36-91-7.1, Ordinance No. 326-91

Finally passed.

[Nob Hill Special Use District]

Ordinance amending City Planning Code, relating to eating and drinking uses, private clubs, awnings, canopies, and marquees, and finding consistency with the priority policies set forth in City Planning Code Section 101.1; companion measure to Files 36-91-7, 36-91-7.1. (Supervisor Maher)

File 115-91-9, Ordinance No. 329-91

(Amends Section 238.)

Finally passed.

[Minority, Women and Local Business Enterprises - Prime Contracts]

Ordinance amending Administrative Code, relating to the procurement of professional architectural and engineering services from Latino owned architect/engineering firms and the procurement of medical services from Black owned medical services providers. (Supervisors Kennedy, Gonzalez)

File 97-91-44, Ordinance No. 344-91

(Amends Section 12D.11.)

Finally passed.

[Water Conservation]

Ordinance amending Housing Code, to require compliance with water conservation requirements by residential buildings of R-3 occupancy within three years. (Supervisors Migden, Alioto, Shelley, Ward)

Monday, September 9, 1991

File 188-91-8, Ordinance No. 346-91

(Amends Chapter 12A.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Gonzalez - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Adopted

[Mortgage Revenue Bonds]

Resolution stating the intention of the City and County to issue City and County Mortgage Revenue bonds to finance the construction of multi-family residential development. (Supervisor Gonzalez)

File 170-91-5, Resolution No. 800-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Gonzalez - 1.

From Finance Committee Without Recommendation

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$482,828 for other contractual services, Recreation and Park, for fiscal year 1991-92; providing for ratification of action previously taken; placing \$482,828 on reserve. (Controller)

File 101-90-99, Ordinance No.

Passed for second reading by the following vote:

Monday, September 9, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Gonzalez - 1.

Passed for Second Reading as Amended

[Lease Amendment]

Ordinance approving Third Amendment to Stadium lease between City and County acting through the Recreation and Park Commission and the San Francisco Giants; providing for retroactivity to the beginning of the 1991 baseball season; companion measure to File 101-90-99. (Recreation and Park Commission)

File 65-91-3, Ordinance No. 347-91

(August 26, 1991 - Consideration continued to September 9, 1991.)

Supervisor Hallinan, seconded by Supervisor Achtenberg, moved to amend title to add "providing for retroactively to the beginning of the 1991 baseball season." and to add a Section 2 to read: "Although the City has incurred no legal obligation, the Board of Supervisors does hereby approve retroactively to the beginning of the 1991 baseball season.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Gonzalez - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Gonzalez - 1.

Request Granted

Supervisor Hallinan, requested that a letter be sent to the Recreation and Parks Commission confirming the agreement reached that all repairs and improvements will be submitted to the Mayor and Board of Supervisors for approval and that for any emergency repair it would be done retroactively.

No objection and Clerk directed to comply.

Adopted

[Settlement of Unlitigated Claim in Favor of City]

Monday, September 9, 1991

Resolution approving settlement agreement (Giants), including an unlitigated claim in the amount of \$292,000 in favor of the City and County. (Recreation and Park Commission)

File 49-91-1, Resolution No. 797-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Gonzalez - 1.

Adopted as Amended

[Candlestick Park - Parking Lot Agreement]
Resolution approving agreement between San Francisco Giants and the City and County acting by and through the Recreation and Park Commission for operation of the parking lot at Candlestick Park for baseball events; providing for retroactivity to the beginning of the 1990 baseball season. (Recreation and Park Commission)

File 63-91-1, Resolution No.

Supervisor Hallinan, seconded by Supervisor Achtenberg, moved to amend title to add "providing for retroactively to the beginning of the 1990 baseball season." and to add a Further Resolve clause to read: "Although the City has incurred no legal obligation, the Board of Supervisors does hereby approve retroactively to the beginning of the 1990 baseball season."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Gonzalez - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Gonzalez - 1.

Request Granted

Supervisor Hallinan requested that a letter be sent to the Recreation and Parks Commission inquiring for informational purposes only the budget breakdown for the Parking Lot Agreement between the Recreation and Parks Commission and the San Francisco Giants.

No objection and Clerk directed to comply.

Monday, September 9, 1991

NEW BUSINESS

Recommendations of City Services Committee

Passed for Second Reading as Amended

[Pedicabs]

Ordinance amending Police Code, setting penalties for violation of the Pedicab Ordinance, and setting new penalties. (Supervisor Alioto)

File 121-91-3, Ordinance No.

(Repeals Section 3916 and Adds new Section 3916.)

Supervisor Alioto, seconded by Supervisor Achtenberg, moved to Amend on Page 2, line 6, after "infraction" by adding "or both."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Gonzalez - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Gonzalez - 1.

Adopted

[Voting System]

Resolution urging the Chief Administrative Officer to urge the Registrar of Voters to refrain from testing the proposed new voting system in the November 1991 election due to the concerns raised by the Board of Supervisors; and urging that the proposed new voting system be tested by an independent expert, with the Board to receive a written report of the results of the testing. (Supervisors Migden and Alioto)

File 60-91-3, Resolution No. 798-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Migden, Shelley, Ward - 7.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Gonzalez, Hsieh, Maher - 3.

Monday, September 9, 1991

[Flower Market Permit]

Resolution approving the sale of the flower market permit identified as the "Market Street Flower Market located on the south side of Market Street within 100 feet of the westerly line of 5th Street" to a qualified permit applicant pursuant to Article 5, Section 161(1) of the Public Works Code. (Department of Public Works)

File 200-91-4, Resolution No. 801-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Gonzalez - 1.

SPECIAL ORDER - 3:00 P.M.

Joint Board of Supervisors/Redevelopment Agency

The Chair recognized Mr. Gary Kitahata, Acting President of the Redevelopment Agency, to jointly chair the meeting in connection with the following three items. Ms. Patsy R. Oswald, Acting Secretary called the roll. A quorum of the members of the San Francisco Redevelopment Agency was not present.

The Acting President stated that since there was not a quorum present from the Redevelopment Agency, they would not be taking any action today and would await the Board's recommendation.

UNFINISHED BUSINESS

Consideration Continued

[Rincon Point - South Beach Redevelopment Plan]

Resolution adopting Final Supplemental Environmental Impact Report, finding and determining that the proposed amendment to the Rincon Point - South Beach Redevelopment Plan will have significant impacts on the environment and adopting and incorporating findings of Final Supplemental Environmental Impact Report. (Supervisor Ward)

File 151-91-2.1, Resolution No.

Supervisor Shelley, seconded by Supervisor Maher, moved to continue consideration to September 16, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Alioto, Britt, Gonzalez - 3.

Monday, September 9, 1991

[Rincon Point - South Beach Redevelopment Plan]

Resolution adopting findings of the Board of Supervisors of the City and County of San Francisco made pursuant to the California Environmental Quality Act and the State guidelines in connection with the approval of the Amendment to the Rincon Point - South Beach Redevelopment Area. (Supervisor Ward)

File 151-91-2.2, Resolution No.

Supervisor Shelley, seconded by Supervisor Maher, moved to continue consideration to September 16, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Alioto, Britt, Gonzalez - 3.

[Redevelopment Plan Amendment]

Ordinance amending Ordinance No. 14-81, amended by Ordinance No. 50-84, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to permit residential uses on two (2) parcels within the South Beach sub-area: Parcel I-1 (Oriental Warehouse and Palmisano parcels, located on First and Brannan Streets) and Parcel D, located on the northwest corner of Bryant and Beale Streets; permit office uses on Parcel C-1, located on the northwest corner of Folsom and Steuart Streets within the Rincon Point sub-area; increase the height limit on Parcels I-1 and I-3 from 105 to 160 feet; increase the residential density on Parcel F-1 (northeast corner of Bryant and First Streets) from 110 to 130 dwelling units per acre; allow accessory parking as a permitted use for the Oriental Warehouse; require the agency to impose fees, conditions and exactions to commercial office developers within the Rincon Point sub-area; include the Agency's housing participation policy; permit alternative land uses to be combined on the same parcel; and allow the Redevelopment Agency, on a short term basis, to lease any of its property for uses which are not in conformance with the adopted Redevelopment Plan. (Redevelopment Agency)

File 151-91-2, Ordinance No.

After a brief period of discussion, Supervisor Shelley, seconded by Supervisor Maher, moved to continue consideration to September 16, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Alioto, Britt, Gonzalez - 3.

Monday, September 9, 1991

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing on objections to request of Director of Public Health that delinquent garbage collection service fees be made a special assessment against certain parcels of real property at which service was rendered, and for which the fees were paid by the City and County.

File 14-91-1

The President inquired if there was anyone present who wished to speak.

No one present to speak.

There being no response, the President declared the public hearing closed.

From the Department of Public Health

Adopted

[Garbage Liens]

Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 14-91-1, Resolution No. 795-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Gonzalez - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of appeal from the decision of the Inter departmental Staff Committee on Traffic and Transportation (ISCOTT) denying the application of the United States Amateur Confederation/Rollerskating for the temporary closing of portions of the Great Highway on Saturday, October 26, 1991, from 6:00 a.m. to 6:00 p.m. for an outdoor rollerskating competition.

File 42-91-46

Monday, September 9, 1991

The privilege of the floor was granted to the following persons:

Lee Holden, U.S. ACR;
Ken Sheld, U.S. ACR.

Adopted

[Street Closing]

Resolution authorizing temporary closing of a portion of the Great Highway; and providing for insurance.

File 42-91-46, Resolution No. 796-91

(The Great Highway, between Sloat Boulevard and Lincoln Way, on Saturday, October 26, 1991, between 6:00 a.m. and 6:00 p.m., for the United States Inline Rollerskating Championships sponsored by United States Amateur Confederation/Rollerskating.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Maher - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Rose Stewart;	Dehnert Queen;	Robert Conway;
Ms. Frazier;	Henry Schdell;	Mike Wong;
Ronald Davis;	Sam Soi Wong.	

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Final Map]

Resolution approving final map of C. Hillside Village, also known as Keith Street, being a resubdivision of Lot 35 in Assessor's Block 4720 and acceptance, subject improvements, of two street parcels (Parcel "A" designated as Bowman Court and Parcel "B" designated as Rebecca Lane), to be open public streets, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

Monday, September 9, 1991

File 58-91-26, Resolution No. 786-91

(August 26, 1991 - Introduced in Board for consideration on
September 9, 1991.)

Adopted.

The foregoing item on the For Adoption Without Committee
Reference Calendar was acted upon by the following vote:

Ayes: Supervisors Hallinan, Hsieh, Kennedy, Migden, Shelley,
Ward - 6.

Absent: Supervisors Achtenberg, Alioto, Britt, Gonzalez,
Maher - 5.

IMMEDIATE ADOPTION CALENDAR

All matters listed in the Immediate Adoption Calendar are for
unanimous adoption without reference to committee. They will be
acted upon by a single roll-call vote of the Board unless a member
of the Board requests a particular item to be considered separately
or referred to Committee, in which event the matter shall be removed
from the Immediate Adoption Calendar and considered as a separate
item.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county
officers with permission to leave the state. (Clerk of the Board)

File 1-91-36, Resolution No. 780-91

(Harry Britt, member, Board of Supervisors, September 11 - 30;
Bill Maher, member, Board of Supervisors, September 28 -
October 3, 1991.)

[Grant - State Funds]

Resolution authorizing the Executive Director of the Port to accept
and expend increased grant monies in the amount of \$1,540,000 from
the California Department of Transportation for Ferry Terminal
improvements. (Supervisor Ward)

File 144-91-1, Resolution No. 753-91

Adopted.

(The Immediate Adoption Calendar include the following
resolution submitted after preparation of the calendar.)

Monday, September 9, 1991

[Street Closing]

Resolution authorizing temporary closing of a portion of Campton Alley, between Stockton Street and Grant Avenue, on Sunday, September 15, 1991, from 8:00 a.m. to 6:00 p.m. for Campton Place Hotel Employees' Safety Fair sponsored by Campton Place Hotel.

File 42-91-49, Resolution No. 781-91

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Britt, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Achtenberg, Alioto, Gonzalez, Maher - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Purchase of Recycled Products]

Ordinance amending the San Francisco Administrative Code by adding Chapter 21A thereto to require all City and County departments and agencies to purchase and use recycled products. (Supervisor Achtenberg presented.) Referred to City Services Committee.

File 97-91-49

Referred to Board

[Traditional Values Coalition - Ballot Initiative Proposal]

Resolution urging California's United States Senators, the Honorable Alan Cranston and the Honorable John Seymour, as well as the members of the House of Representatives who represent the citizens of San Francisco to consider, sponsor and support legislation that would provide for the preservation of the Main Post Office at 7th and Mission in San Francisco, and would protect the mailing addresses of Post Office box holders displaced by the October 17, 1989, earthquake, as well as certain other box holders. (Supervisor Kennedy presented.) Referred to Board September 16, 1991 For Adoption Without Committee Reference Calendar.

File 12-91-43

Monday, September 9, 1991

[Federal Legislation - Main Post Office]

Resolution opposing the efforts of Rev. Louis Sheldon and the Traditional Values Coalition to qualify a constitutional amendment that would invalidate all state and local laws barring discrimination based on sexual orientation unless approved by a 2/3 vote of electors in question; urging San Francisco residents not to sign their petition; urging all other counties in California to join San Francisco in early opposition to the initiative proposal. (Supervisor Achtenberg presented.) Referred to Board September 16, 1991 For Adoption Without Committee Reference Calendar.

File 13-91-25

[Street Closing]

Resolution authorizing temporary closing of a portion of Grace Alley, between Mission and Howard Streets, on Friday, September 20, 1991, from 5:00 p.m. to 12:00 a.m. for a block party sponsored by Vincent Owners Club. (Supervisor Kennedy presented.) Referred to Board September 16, 1991 For Adoption Without Committee Reference Calendar.

File 42-91-48

Requests for Hearings:

File 20-91-16, By Supervisor Ward: To consider feasibility of placing a crosswalk on Reddy Street at Williams Street. (Supervisor Ward presented.) Referred to City Services Committee.

File 207-91-5, By Supervisor Kennedy: To consider the reasons why applicants for San Francisco Police Officers, from 1986 to the present, while having passed the test for Police Officer, were denied or eliminated in the background process and that the Chief of Police or his representative, a representative from Retention and Recruitment and the commanding officer in personnel be present at this hearing. (Supervisor Kennedy presented.) Referred to Economic and Social Policy Committee.

File 207-91-6, By Supervisor Alioto: To consider the quality of service provided by the Senior Escort Service and to consider the need to provide this service citywide. (Supervisors Alioto, Hsieh presented.) Referred to City Services Committee.

Motion

Referred to Board

[Earthquake Funds]

Directing the Budget Analyst to prepare a complete comprehensive audit of all expenditures made relating to the Loma Prieta Earthquake of 1989 from all funding sources including private donations, federal funds, state funds, City and County funds. (Supervisor Alioto presented.) Referred to Board September 16, 1991 For Adoption Without Committee Reference Calendar.

File 270-91-5

Monday, September 9, 1991

Introduced by the President at the Request of Departments

Ordinances

File 27-91-7. [Airport Lease Modification] Approving Modification No. 1 of Lease Agreement No. 82-0315 between China Airlines and City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission). Finance.

File 62-91-5. [Stow Lake Lease] Approving a twenty-year lease with Stow Lake Corporation for establishing and operating a boat rental, bicycle rental and snack bar concession at Stow Lake, Golden Gate Park, San Francisco, California. (Recreation and Park Department). Finance.

File 97-91-45. [Agriculture - Pesticide Regulations] Amending Administrative Code by amending Section 1.13-3 thereof, changing the title of the organization responsible for contracting with the City and County of San Francisco for pesticide regulation. (Department of Agriculture and Weights and Measures). Finance.

File 97-91-46. [Agriculture - Inspection Fees] Amending Administrative Code by amending Section 1.10 thereof, changing the fees charged for inspection of agricultural products. (Department of Agriculture and Weights and Measures). Finance.

File 121-91-6. [Tour Bus Restriction] Amending Police Code, by adding Section 1183.20, regarding tour bus restrictions on 26th Avenue, between Geary Boulevard and California Street. (Department of Parking & Traffic). Economic and Social Policy.

File 121-91-7. [Tour Bus Restriction] Amending Police Code, by adding Section 1183.21, regarding tour bus restrictions on Lombard Street, between Van Ness Avenue and Polk Street. (Department of Parking & Traffic). Economic and Social Policy.

Resolutions

File 38-91-14. [Acceptance of Gift] Accepting a gift to the San Francisco Public Library of a wooden circulation counter, valued at \$6,479, from Bob Malloy and Associates. (Public Library). Finance.

File 38-91-15. [Acceptance of Gift] Accepting a gift to the San Francisco Public Library of one million dollars from the Library Foundation of San Francisco for interior design of the New Main Library. (Public Library). Finance.

File 54-91-1. [Meeting Schedule] Revising the regular meeting schedule of the Board of Supervisors by cancelling the meetings of December 2, and December 30, 1991. (Clerk of the Board). Administration and Oversight.

File 64-91-29. [Lease of Property] Authorizing lease of real property at 795 8th Avenue for the Fine Arts Museum, for offices. (Real Estate Department). Finance.

Monday, September 9, 1991

File 64-91-30. [Lease of Property] Authorizing lease of real property at 657 Howard Street for the Fine Arts Museum, for offices and conservation treatment. (Real Estate Department). Finance.

File 153-91-7. [Grant - Federal Funds] Authorizing the Department of Social Services to accept, and expend, the second year grant funds from the Department of Health and Human Services, Maternal and Child Health Bureau in the amount of \$120,000 and waiving the indirect cost of \$5,714 which is based on 5% of the total direct charges for Fiscal Year 1991-92 for development of case management services to medically fragile and HIV positive infants. (Department of Social Services). Finance.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that a letter of inquiry be sent to the Department of Parking and Traffic regarding the proposal to extend the Auxiliary Water Supply System to the West Portal District. Specifically:

- 1) Why did the City choose the West Portal District as opposed to Portola Drive?
- 2) Since this will affect the small businesses; will disrupt traffic and interrupted MUNI; what is the feasibility of using Portola Drive instead of West Portal?

By Supervisor Kennedy, that a letter of inquiry be sent to the Real Estate and Parking and Traffic Departments regarding the 1991 lease between the City and County of San Francisco and City Park for the operation of the Union Square Garage. Specifically:

- 1) Is the clause of the lease quoted (for a monthly sum of \$200,000) being violated?
- 2) Will the contract be up for competitive bidding?
- 3) Is this the normal procedure for this type of lease?

By Supervisor Migden, that the City Attorney prepare an ordinance amending Chapter 12D of the Administrative Code so that mid-sized local business enterprises are eligible to receive a 5% bid/rating preference when competing for the award of City prime contracts.

By Supervisor Shelley, that a letter be sent to the Superintendent of Schools inquiring whether routine testing of the water for lead has recently been performed as required by State law, and if so, what were the results?

By Supervisor Shelley, that a letter be sent to the Chief, Fire Department and General Manager, Water Department, inquiring if the Fire and Water Departments will report back to the Board regarding whether the existing fire hydrant system on Bernal Heights meets the minimum standards for firefighting.

Monday, September 9, 1991

By Supervisor Shelley, that a letter be sent to the Director, Department of Public Health, inquiring whether access to primary care services is equal from center to center among the Public Health Department's District Health Centers and Ambulatory Care Centers. Does the Department of Health routinely monitor: provider/patient ratios, booking lead times for appointments, support staff/provider ratios, and waiting times in clinics? If so, is access to care, as measured by the above indicators, equal from site to site?

By Supervisor Achtenberg, that the City Attorney prepare legislation requiring warning signs at point of sale of condoms that oil based lubricants can destroy the integrity of condoms, thus increasing the risk of transmission of the HIV virus and other sexually transmitted diseases.

By Supervisor Alioto, that a letter be sent to the Director, Department of Parking and Traffic inquiring into the feasibility of replacing the traffic lights currently located on Larkin and Northpoint with stop signs.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Frank Aiello (By entire Board)
Richard Wetzel (Supervisor Harry D. Britt)
Winifred Cottrell (Supervisor Harry D. Britt)
Jackie Winnow (Supervisor Harry D. Britt)
Moon Yuen (Supervisor Tom Hsieh)

File 2-91-36

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:00 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, September 9, 1991

Approved by the Board of Supervisors on May 25, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

16/91

Vol. 86

No. 37

Monday, September 16, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, September 16, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Hsieh, Kennedy, Migden, Shelley,
Ward - 6.

Noted absent at first roll call:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Maher - 5.

Quorum present.

Supervisor Alioto was noted present at 2:13 p.m.

Supervisor Britt excused, on official leave of absence.

Supervisor Gonzalez excused, on official leave of absence.

Supervisor Hallinan excused. (See infra.)

Supervisor Maher was noted present at 2:14 p.m.

Supervisor Hallinan Excused

The Clerk announced that Supervisor Hallinan requested to be excused from attending today's meeting because of surgery.

Supervisor Kennedy, seconded by Supervisor Achtenberg, moved to excuse Supervisor Hallinan from attendance today.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Hsieh, Kennedy, Migden, Shelley,
Ward - 6.

Absent: Supervisors Alioto, Britt, Gonzalez, Hallinan,
Maher - 5.

Monday, September 16, 1991

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Hsieh, seconded by Supervisor Kennedy, moved that the Journal of Proceedings for Monday, December 17, 1990, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Hsieh, Kennedy, Migden, Shelley, Ward - 6.

Absent: Supervisors Alioto, Britt, Gonzalez, Hallinan, Maher - 5.

CONSENT CALENDAR

Recommendations of Finance Committee

Adopted

[Acceptance of Gift]

Resolution accepting a gift to the Public Library of personal computer software and accessories, valued at \$17,535, from Lotus Development Corporation. (Public Library)

File 38-91-13, Resolution No. 817-91

Adopted.

[Parking of Vehicle]

Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-91-5.1, Resolution No. 818-91

Adopted.

[Amendment to Lease]

Resolution authorizing lease of real property at 744 Harrison Street for offices for the Fire Department's Arson Squad. (Real Estate Department)

File 64-91-26, Resolution No.

Adopted.

Monday, September 16, 1991

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Division of Mental Health, Substance Abuse and Forensic Services, to expend a grant of \$283,000, which includes indirect costs in the amount of \$12,528, based on 5 percent of \$250,561 from the State Office of Mental Health Services, for consultation, education and information services, and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services. (Department of Public Health)

File 146-91-50.1, Resolution No.

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Child Health and Disability Prevention Program (CHDP), to accept and expend an allocation of \$2,105,021, which includes indirect costs in the amount of \$169,679, based on 12 percent of personnel costs from the State Department of Health Services for Child Health and Disability Prevention Services, and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services. (Department of Public Health)

File 146-91-67, Resolution No. 826-91

Adopted.

[Agreement Modification]

Resolution authorizing the modification of an agreement between the City and County of San Francisco and the University of California, Fragile Infant Program to extend the current contract by five months from October 1, 1991 to February 29, 1992, in an amount not to exceed \$4,721, and granting the Department of Social Services a waiver on the retention of 5 percent administration costs allowable pursuant to Sections 18965-18970 of the Welfare and Institutions Code. (Department of Social Services)

File 172-91-13, Resolution No. 830-91

Adopted.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Bernice Ferreira against the City and County by payment of \$6,000. (City Attorney)

Monday, September 16, 1991

File 45-91-49, Ordinance No.

(Superior Court No. 921-402.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Verna McHenry against the City and County by payment of \$10,000. (City Attorney)

File 45-91-50, Ordinance No.

(Superior Court No. 922-313.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Alie Beth Zandstra against the City and County by payment of \$50,000. (City Attorney)

File 45-91-51, Ordinance No.

(Superior Court No. 912-574.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of James Brightman against the City and County by payment of \$15,000. (City Attorney)

File 45-91-52, Ordinance No.

(Superior Court No. 925-299.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Nancy Wurnitsch against the City and County by payment of \$15,000. (City Attorney)

File 45-91-53, Ordinance No.

(Superior Court No. 910-329.)

Passed for second reading.

Adopted

Monday, September 16, 1991

[Gift Acceptance]

Resolution accepting the gift of Marguerite Warren of two appropriate wooden benches to be placed adjacent to Room 228, City Hall, for the use and convenience of the public. (Supervisor Ward)

File 38-91-6, Resolution No. 814-91

Adopted.

Recommendation of Economic and Social Policy Committee

Adopted

[Stop Intersection]

Resolution designating "Stop" intersections at Palou Avenue and Jennings Street. (Economic and Social Policy Committee)

File 18-91-4, Resolution No. 812-91

(Stop Signs - Establish

Palou Avenue and Jennings Street, all corners (makes this an all-way Stop).

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

From Finance Committee Without Recommendation

Finally Passed

[Government Funding]

Ordinance appropriating \$482,828 for other contractual services, Recreation and Park, for fiscal year 1991-92; providing for ratification of action previously taken; placing \$482,828 on reserve. (Controller)

File 101-90-99, Ordinance No. 349-91

Finally passed by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

[Lease Amendment]

Ordinance approving Third Amendment to Stadium lease between City and County acting through the Recreation and Park Commission and the San Francisco Giants; providing for retroactively to the beginning of the 1991 baseball season; companion measure to File 101-90-99. (Recreation and Park Commission)

File 65-91-3, Ordinance No. 347-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

Recommendation of City Services Committee

Finally Passed

[Pedicabs]

Ordinance amending Police Code, setting penalties for violation of the Pedicab Ordinance, and setting new penalties. (Supervisor Alioto)

File 121-91-3, Ordinance No. 348-91

(Repeals Section 3916 and Adds new Section 3916.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Childcare Center, Lease Agreement]

Ordinance authorizing negotiated lease agreement for childcare

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center at Southeast Community Facility located at 1800 Oakdale Avenue; effective retroactive to September 1, 1991. (Real Estate Department).

File 65-91-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

Adopted

[Acceptance of Gift]

Resolution accepting three gifts valued at \$25,593.09. for use by Recreation and Park Department; providing for ratification of action previously taken. (Recreation and Park Department).

File 38-91-10, Resolution No. 815-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

[Acceptance of Donation]

Resolution authorizing Juvenile Probation Department to accept donations in the amount of \$17,221.84 for services to improve the food and upgrade food services at Juvenile Hall; providing for ratification of action previously taken. (Juvenile Probation Department)

File 38-91-12, Resolution No. 816-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

Consideration Continued

[Reimbursement to Employees]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty; consisting of 7 warrants in the aggregate amount of \$3,974.91. (Finance Committee)

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File 51-91-1, Resolution No.

REIMBURSEMENT FOR DAMAGED OR STOLEN PERSONAL PROPERTY OF CITY EMPLOYEES

<u>DEPARTMENT/ CLAIMANT</u>	<u>ITEM</u>	<u>AMOUNT CLAIMED</u>	<u>AMOUNT RECOMMENDED</u>
<u>RECREATION & PARK</u>			
Brian Spiegelman	Broken Eyeglasses	\$ 126.00	\$ 126.00
<u>MUNICIPAL RAILWAY</u>			
Jorge A. Hernandez	Stolen Tools	2,500.00	2,490.00
<u>DEPT. OF PUBLIC WORKS</u>			
Thomas Corlett	Broken Auto Window and Stolen Items	495.01	495.01
<u>DEPT. OF PUBLIC HEALTH</u>			
<u>Laguna Honda Hospital</u>			
Lolita L. Militar	Broken Eyeglasses	129.95	129.95
<u>S.F. GENERAL HOSPITAL</u>			
Joyce E. Muse	Damaged Auto Tire	81.00	81.00
Marvin Woodside	Torn Shirt	33.95	33.95
Andrew W. Schwartz	Damaged Auto Windshield	<u>619.00</u>	<u>619.00</u>
		\$ 3,984.91	\$ 3,974.91

Supervisor Kennedy, seconded by Supervisor Achtenberg, moved to continue consideration to September 23, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

[Reimbursement to Employees]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty; consisting of 13 warrants in the aggregate amount of \$2,178.63.
(Finance Committee)

Monday, September 16, 1991

File 51-91-2, Resolution No.

REIMBURSEMENT FOR DAMAGED OR STOLEN PERSONAL PROPERTY OF CITY EMPLOYEES

<u>DEPARTMENT/ CLAIMANT</u>	<u>ITEM</u>	<u>AMOUNT CLAIMED</u>	<u>AMOUNT RECOMMENDED</u>
<u>DEPT. OF PUBLIC HEALTH</u>			
<u>S.F. General Hospital</u>			
Lisa Drage	Stolen Medical Bag and Welch-Allyn	\$ 391.00	\$ 391.00
	Ophtholmoscope		
Elizabeth Wong	Toin Sweater	26.75	26.75
<u>Laguna Honda Hospital</u>			
John Graef	Broken Eyeglasses	164.00	164.00
Scholastica Wong	Damaged Tennis Shoes	19.99	19.99
<u>S.F. General Hospital</u>			
Karen Bayle	Stolen Diagnostic Kit	452.00	423.00
Sondra Christian	Damaged Auto and Stolen Items	570.00	50.00
Anand Yogendra	Damaged Polo Shirt	59.99	59.00
<u>DEPT. OF PUBLIC WORKS</u>			
James Whipple	Stolen Items	144.00	144.00
Walter J. Linberg	Stolen Items	601.40	258.95
<u>JUVENILE PROBATION</u>			
David Hodges	Damaged Slacks	45.00	45.00
<u>RECREATION AND PARK</u>			
Barbara Nicholson	Vandalized Auto	127.00	127.00
<u>PURCHASING</u>			
Lawrence Laino	Stolen Tools	437.97	437.97
<u>WATER DEPT.</u>			
Frank Cheng	Damaged Jacket	31.97	31.97
TOTAL		\$ 5,078.47	\$2,178.63

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Supervisor Kennedy, seconded by Supervisor Achtenberg, moved to continue consideration to September 23, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

Adopted

[AB 75 Capital Outlay Plan]

Resolution authorizing amendment to the AB 75 Capital Outlay Plan for the City and County of San Francisco, as adopted by Resolution No. 125-91, to delete one San Francisco "DPH Health Center/Department of Mental Health" project and to substitute in its place seven other San Francisco Department of Public Health/Mental Health Projects. (Department of Public Health)

File 146-91-4.2, Resolution No. 822-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant not to exceed \$2,500,000, which included indirect costs based on 20 percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the AIDS Surveillance Project, and to establish and finance Civil Service positions for the provision of these services; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-65, Resolution No. 824-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Special Programs for Youth, as subgrantee in collaboration with Larkin Street Youth Services, as prime grantee, to accept and expend a continuation grant of \$90,116, from the

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Department of Health Resources and Services Administration for Community Health Outreach for Youth, and to authorize the expenditure of grant funds to finance Civil Service positions for the provision of these services; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-66, Resolution No. 825-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

[Compromise of Tax]

Resolution authorizing the Tax Collector to collect the amount of \$3,750 for the personal property taxes listed against Knudsen Corporation and discharging said Tax Collector from accountability for collecting any taxes, penalties, or costs in excess of \$3,750. (Tax Collector)

File 166-91-4, Resolution No. 827-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

[Agreement Modification]

Resolution authorizing the modification of an agreement between the City and County of San Francisco and the San Francisco Child Abuse Council, Inc., to extend the current contract by six months retroactively from September 1, 1991 to February 29, 1992, in an amount not to exceed \$19,850, and granting the Department of Social Services a waiver on the retention of 5 percent administration costs allowable pursuant to Sections 18965-18970 of the Welfare and Institutions Code. (Department of Social Services)

File 172-91-11, Resolution No. 828-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

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[Agreement Modification]

Resolution authorizing the modification of an agreement between the City and County of San Francisco and the Family Service Agency to extend the current contract by six months retroactively from September 1, 1991 to February 29, 1992, in an amount not to exceed \$18,574, and granting the Department of Social Services a waiver on the retention of 5 percent administration costs allowable pursuant to Sections 18965-18970 of the Welfare and Institutions Code. (Department of Social Services)

File 172-91-12, Resolution No. 829-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

[Agreement Modification]

Resolution authorizing the modification of an agreement between the City and County of San Francisco and Charila/Catholic Youth Organization to extend the current contract by six months retroactively from September 1, 1991 to February 29, 1992, in an amount not to exceed \$27,385, and granting the Department of Social Services a waiver on the retention of 5 percent administration costs allowable pursuant to Sections 18965-18970 of the Welfare and Institutions Code. (Department of Social Services)

File 172-91-14, Resolution No. 831-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

[Agreement Modification]

Resolution authorizing the modification of an agreement between the City and County of San Francisco and the University of California, Infant-Parent Program to extend the current contract by six months retroactively from September 1, 1991 to February 29, 1992, in an amount not to exceed \$22,820, and granting the Department of Social Services a waiver on the retention of 5 percent administration costs allowable pursuant to Sections 18965-18970 of the Welfare and Institutions Code. (Department of Social Services)

File 172-91-15, Resolution No. 832-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

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Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

Recommendations of Administration and Oversight Committee

Passed for Second Reading as Amended

[Workers Compensation]

Ordinance amending Administrative Code, relating to City employee workers compensation costs (establishes a workers compensation task force). (Supervisors Hsieh, Kennedy, Alioto, Shelley, Migden)

File 97-91-38, Ordinance No.

(Adds Sections 16.83-1 through 16.83-4.)

Supervisor Alioto, seconded by Supervisor Shelley, moved to amend page one, line 21 by adding the following: "(h) One member representing the business community designated by the above task force members."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

Supervisor Shelley, seconded by Supervisor Migden, moved to amend by adding the following: "(i) Representative from the City's Occupational Safety and Health Program."

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

In connection with the above item, Supervisors Alioto, Shelley and Migden requested to be added as co-sponsors.

Adopted

[Appointment]

Resolution confirming Mayor's reappointment to the Port Commission, for the four-year term ending May 1, 1995. (Administration and Oversight Committee)

File 33-91-8, Resolution No. 813-91

(Anne Halsted, vice herself, term expired.)

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Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

[Appointment]

Resolution appointing member to the Park and Open Space Advisory Committee, for two-year term ending July 15, 1993. (Administration and Oversight Committee)

File 82-91-27.2, Resolution No. 821-91

(Willa Sims, vice herself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

[Disability Pay]

Resolution urging the Mayor to urge the Civil Service Commission to amend its disability leave rule so that employees do not receive more net income when on industrial disability leave than when working. (Supervisors Hsieh, Kennedy)

File 222-91-2, Resolution No. 833-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

Recommendation of City Services Committee

Passed for Second Reading

[Film and Video Arts Commission]

Ordinance amending Administrative Code, to clarify powers of the Film and Video Arts Commission, to permit film companies to enter into use agreements with Executive Director, to conform Chapter 57 of the Administrative Code with the Charter and other applicable regulations of the City and County and to correct clerical errors. (Supervisor Alioto)

File 97-91-40, Ordinance No.

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(Amends Sections 57.2, 57.3, 57.4, 57.5, 57.6, 57.8, 57.11 and 57.13.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

Recommendations of Economic and Social Policy Committee

Passed for second Reading

[Landmark]

Ordinance designating the Park Emergency Hospital at 811 Stanyan Street as a landmark pursuant to Article 10 of the City Planning Code. (Department of City Planning)

File 90-91-3, Ordinance No.

(Approved by City Planning Commission Resolution No. 13153.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

[Water Conservation]

Ordinance amending Building Code, to require installation of water conservation devices in existing commercial buildings, including tourist hotels and motels, upon title transfer or major improvement and in any event no later than three years from the effective date of this ordinance. (Supervisors Migden, Shelley)

File 114-91-9, Ordinance No.

(Adds Chapter 53B.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

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[Parking Control]

Ordinance amending Traffic Code, regarding parking for state police vehicles only on Stevenson Street, west of Brady Street.
(Department of Parking and Traffic).

File 124-91-7, Ordinance No.

(Adds Section 32.6.15.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

Adopted

[Doyle Drive Safety Improvements]

Resolution urging the Golden Gate Bridge District and the State of California to lower the posted maximum speed limits on the Golden Gate Bridge and its approaches, to enforce speed limits on the bridge and its approaches, and to utilize radar for speed enforcement on the Bridge and its approaches. (Supervisor Kennedy)

File 55-91-2, Resolution No. 820-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

[Amnesty-Surrender of Firearms]

Resolution urging the Mayor to request the Police Department to institute a six-month amnesty program to encourage individuals to surrender firearms for fifty dollars, with funds not to exceed \$9,500 coming from drug forfeiture revenues; urging the Mayor to submit a supplemental appropriation to fund this program.
(Supervisors Kennedy, Ward, Achtenberg, Migden, Shelley)

File 207-91-3, Resolution No. 785-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

In connection with the above item, Supervisors Ward, Achtenberg, Migden and Shelley requested to be added as co-sponsors.

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[Friendship-Solidarity City/Partner Program]
Resolution establishing a friendship-solidarity city/partner
community relationship between the City of San Francisco and the
Community of the Mfengo People (South Africa). (Supervisor Kennedy)

File 242-91-1, Resolution No. 834-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher,
Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

SPECIAL ORDER - 3:00 P.M.

Joint Board of Supervisors/Redevelopment Agency

UNFINISHED BUSINESS

Consideration Continued

[Rincon Point - South Beach Redevelopment Plan]
Resolution adopting Final Supplemental Environmental Impact Report,
finding and determining that the proposed amendment to the Rincon
Point - South Beach Redevelopment Plan will have significant impacts
on the environment and adopting and incorporating findings of Final
Supplemental Environmental Impact Report. (Supervisor Ward)

File 151-91-2.1, Resolution No.

The Secretary of the San Francisco Redevelopment Agency
Commission was recognized for the purpose of announcing, due to a
lack of quorum of the San Francisco Redevelopment Agency Commission,
that the Special Meeting of the San Francisco Redevelopment Agency
be continued to September 23, 1991 at 3:00 p.m.

Thereupon, Supervisor Kennedy, seconded by Supervisor Maher,
moved to continue consideration to September 23, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher,
Shelley, Ward - 7.

Absent: Supervisors Britt, Gonzalez, Hallinan, Migden - 4.

[Rincon Point - South Beach Redevelopment Plan]
Resolution adopting findings of the Board of Supervisors of the City
and County of San Francisco made pursuant to the California
Environmental Quality Act and the State guidelines in connection

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with the approval of the Amendment to the Rincon Point - South Beach Redevelopment Area. (Supervisor Ward)

File 151-91-2.2, Resolution No.

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to September 23, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Shelley, Ward - 7.

Absent: Supervisors Britt, Gonzalez, Hallinan, Migden - 4.

[Redevelopment Plan Amendment]

Ordinance amending Ordinance No. 14-81, amended by Ordinance No. 50-84, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to permit residential uses on two (2) parcels within the South Beach sub-area: Parcel I-1 (Oriental Warehouse and Palmisano parcels, located on First and Brannan Streets) and Parcel D, located on the northwest corner of Bryant and Beale Streets; permit office uses on Parcel C-1, located on the northwest corner of Folsom and Steuart Streets within the Rincon Point sub-area; increase the height limit on Parcels I-1 and I-3 from 105 to 160 feet; increase the residential density on Parcel F-1 (northeast corner of Bryant and First Streets) from 110 to 130 dwelling units per acre; allow accessory parking as a permitted use for the Oriental Warehouse; require the agency to impose fees, conditions and exactions to commercial office developers within the Rincon Point sub-area; include the Agency's housing participation policy; permit alternative land uses to be combined on the same parcel; and allow the Redevelopment Agency, on a short term basis, to lease any of its property for uses which are not in conformance with the adopted Redevelopment Plan.
(Redevelopment Agency)

File 151-91-2, Ordinance No.

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to September 23, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Shelley, Ward - 7.

Absent: Supervisors Britt, Gonzalez, Hallinan, Migden - 4.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

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[Public Hearing]

Hearing of all persons interested in or objecting to the recommendation of the Public Utilities Commission for discontinuance of partial services on Municipal Railway Motor Coach Lines J-Church, K-Ingleside, N-Judah, 15-Third, 31-Balboa, 45-Union/Stockton, and 90-Owl during the owl service period (between approximately 1:00 a.m. and 5:00 a.m.).

File 7-91-10

(Filed August 20, 1991.)

The privilege of the floor was granted to the following persons:

Robert Tunney;
Norman Rolf;
Representative, Sierra Club.

Adopted

(Only one of the following two resolutions should be adopted.)

[Public Transportation]

Resolution approving partial abandonments of service on Municipal Railway Lines J-Church, K-Ingleside, N-Judah, 15-Third, 31-Balboa, 45-Union/Stockton, and 90-Owl between approximately 1:00 a.m. and 5:00 a.m. (Public Utilities Commission)

File 7-91-10, Resolution No. 810-91

Supervisor Achtenberg, seconded by Supervisor Hsieh, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

Tabled

[Public Transportation]

Resolution disapproving partial abandonments of service on Municipal Railway Lines J-Church, K-Ingleside, N-Judah, 15-Third, 31-Balboa, 45-Union/Stockton, and 90-Owl between approximately 1:00 a.m. and 5:00 a.m. (Public Utilities Commission)

File 7-91-10.1, Resolution No.

Supervisor Alioto, seconded by Supervisor Migden, moved to table.

Tabled by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hallinan - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Edith Mc Millan;
G.G. Cordan, Jr.;
Robert Caldwell.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Ward requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Finance Committee

[Earthquake Funds]

Motion directing the Budget Analyst to prepare a complete comprehensive audit of all expenditures made relating to the Loma Prieta Earthquake of 1989 from all funding sources including private donations, federal funds, state funds, City and County funds. (Supervisor Alioto)

File 270-91-5

At the request of Supervisor Ward, referred to Finance Committee.

Request Granted

Supervisor Alioto requested that letter be sent to Controller requesting audit of all expenditures made relating to the Loma Prieta Earthquake of 1989 from all funding sources including private donations, federal funds, state funds, City and County funds.

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Supervisor Alioto requested that Clerk obtain copies of audits that have been completed to date of expenditures made relating to the Loma Prieta Earthquake of 1989 from all funding sources including private donations, federal funds, state funds, City and County funds.

No objection and Clerk directed to comply.

The Board resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference

Adopted

[Traditional Values Coalition - Ballot Initiative Proposal]
Resolution opposing the efforts of Rev. Louis Sheldon and the Traditional Values Coalition to qualify a constitutional amendment that would invalidate all state and local laws barring discrimination based on sexual orientation unless approved by a 2/3 vote of electors in question; urging San Francisco residents not to sign their petition; urging all other counties in California to join San Francisco in early opposition to the initiative proposal. (Supervisors Achtenberg, Migden, Shelley, Britt)

File 12-91-43, Resolution No. 811-91

(September 9, 1991 - Introduced in Board for consideration on September 16, 1991.)

Adopted.

In connection with the above item, Supervisors Migden, Shelley, and Britt requested to be added as co-sponsors.

[Federal Legislation - Main Post Office]
Resolution urging California's United States Senators, the Honorable Alan Cranston and the Honorable John Seymour, as well as the members of the House of Representatives who represent the citizens of San Francisco, to consider, sponsor and support legislation that would provide for the preservation of the Main Post Office at 7th and Mission in San Francisco, and would protect the mailing addresses of Post Office box holders displaced by the October 17, 1989, earthquake, as well as certain other box holders. (Supervisor Kennedy)

File 13-91-25, Resolution No. 802-91

(September 9, 1991 - Introduced in Board for consideration on September 16, 1991.)

Adopted.

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[Street Closing]

Resolution authorizing temporary closing of a portion of Grace Alley, for a block party sponsored by Vincent Owners Club.
(Supervisor Kennedy)

File 42-91-48, Resolution No. 819-91

(Grace Alley, between Mission and Howard Street, on Friday, September 20, 1991 from 5:00 p.m. to 12:00 a.m.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Kennedy, Migden, Shelley, Ward - 6.

Absent: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Maher - 5.

IMMEDIATE ADOPTION CALENDAR

All matters listed in the Immediate Adoption Calendar are for unanimous adoption without reference to committee. They will be acted upon by a single roll-call vote of the Board unless a member of the Board requests a particular item to be considered separately or referred to Committee, in which event the matter shall be removed from the Immediate Adoption Calendar and considered as a separate item.

Severed from Immediate Adoption Calendar

Adopted as Amended

[Weapons to South Africa]

Resolution condemning the exportation of weapons ((from businesses in)) licensed by the State and Commerce Departments of the United States to South Africa, and requesting members of the San Francisco Delegation to Congress to take any actions they may be able to take to address the issues raised by this resolution. (Economic and Social Policy Committee)

File 242-91-1.1, Resolution No. 794-91

On advise of the City Attorney, this measure was removed from the regular calendar and placed on the Immediate Adoption Calendar.

Supervisor Kennedy, seconded by Supervisor Achtenberg, moved to amend title, page one, line two, by deleting "from businesses in" and inserting "licensed by the State and Commerce Departments of";

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amend page one, lines 9 and 10, by deleting "from businesses in the United States"; amend page one, line 12, by deleting "businesses"; amend page two, lines 12 and 13, by deleting "from businesses in the United States".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Kennedy, Maher, Shelley, Ward - 6.

Absent: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Migden - 5.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Kennedy, Maher, Shelley, Ward - 6.

Absent: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Migden - 5.

The Board resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-37, Resolution No. 787-91

(Doris M. Ward, President, Board of Supervisors, September 19 - 22; Willie B. Kennedy, member, Board of Supervisors, September 11 - 15, October 17 - 20 and December 2 - 8; Peter Ashe, member, Retirement Board, September 10 and October 24 - 25; Raymond Baxter, Director of Health, September 20 - 24; Thad Brown, Tax Collector, October 27 - November 3; Joe Grubb, Executive Director, Rent Board, October 7 - 17; Roberto Hernandez, member, Film and Video Arts Commission, September 13 - 20; Vivian Hammill, member, Rent Board, September 28 - October 5; Michael Huerta, Executive Director, Port, September 13 - 15; James Morales, member, City Planning Commission, August 31 - September 6; Louise Renne, City Attorney, September 15 - 28; Michael Rossoff, member, Rent Board, September 20 - 30; Barbara Sklar, President, Arts Commission, September 12 - 19, September 19 - October 12, 1991.)

Adopted.

Monday, September 16, 1991

[Street Closing]

Resolution authorizing temporary closing of portions of San Bruno Avenue and Utah Street; and providing for insurance. (Supervisor Migden)

File 42-91-50, Resolution No. 790-91

(San Bruno Avenue, between 25th and 26th Streets (into Potrero Del Sol Park);

Utah Street, between 25th and 26th Streets (into Potrero Del Sol Park), on Saturday, September 21, 1991, from 8:00 a.m. to 5:00 p.m. for a Walk and Run-A-Thon sponsored by Victory Outreach.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

Adopted

[AIDS Memorial Grove]

Resolution commending the creation of an AIDS Memorial Grove in Golden Gate Park.

File 6-91-13, Resolution No. 788-91

Supervisors Achtenberg, Migden, Maher, Hsieh, Shelley, Ward, Alioto presented for immediate adoption.

Adopted.

[Funding]

Resolution urging the U.S. Senate Appropriations Committee to mark the budget for fiscal year 1992 for a \$10 million appropriation for deferred maintenance to the Presidio Army Base and operational costs for the Letterman General Hospital.

File 13-91-26, Resolution No. 789-91

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Pierce Street, between Toleda Way and Chestnut Street, on Saturday, October 12, 1991, from 6:00 a.m. to 3:00 p.m. for pancake breakfast for senior citizens sponsored by Marina Lions Club.

File 42-91-51, Resolution No. 791-91

Monday, September 16, 1991

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of 18th Street, between Diamond and Collingwood Streets, on Tuesday, September 17, 1991, from 6:00 p.m. to 10:00 p.m. for a grand opening and dedication of Cala Store.

File 42-91-52, Resolution No. 792-91

Supervisor Migden presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Dolores Street, (parking and westernmost lane), between 18th and 19th Streets, on Saturday, September 21, 1991, from 12:00 noon to 4:00 p.m. for Farmworkers Emergency Relief Committee.

File 42-91-53, Resolution No. 793-91

Supervisor Ward presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Kennedy, Migden, Shelley, Ward - 6.

Absent: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Maher - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Government Funding]

Ordinance appropriating \$214,324, Mayor's Office of Community Development, for permanent salaries and professional services (Dispute Resolution Program). (Supervisor Shelley presented.) Referred to Finance Committee with request it be considered as soon as possible.

File 101-91-14

Monday, September 16, 1991

[Gift Acceptance]

Resolution authorizing the Department of Social Services to accept a gift in an amount not to exceed \$50,000 from the Federal National Mortgage Corporation (FREDDIE MAC) to provide for special needs of children in the care of the Family and Children's Division of the Department of Social Services. (Supervisor Ward presented.) Referred to Finance Committee with request it be considered as soon as possible.

File 38-91-17

Referred to Board

[ARC/AIDS - HIV Vigil]

Resolution authorizing the transfer of the revocable use agreement between the City and County of San Francisco and the ARC/AIDS Vigil to the HIV Vigil, subject to all of the terms and conditions contained in the original agreement. (Supervisor Britt presented.) Referred to Board September 23, 1991 For Adoption Without Committee Reference Calendar.

File 108-91-1

Referred to Committee

[Traffic Improvements]

Resolution urging the Mayor to urge the Parking and Traffic Authority to produce a plan to expend FEMA funds on various traffic improvements, to initiate an origination/destination study; urging the Mayor to urge the Department of Public Works to apply for Federal and State highway funds; urging the Mayor to urge the appropriate City departments to work with Caltrans to develop a "Smart Corridor" plan for the Van Ness Corridor. (Supervisor Maher presented.) Referred to Economic and Social Policy Committee.

File 171-91-15

Referred to Board

[Bay Bridge Running Event]

Resolution endorsing the Lifespan running event and directing the Clerk of the Board to send a letter to the State Department of Transportation supporting Lifespan's request to close three lanes of the Bay Bridge for their running event. (Supervisor Maher presented.) Referred to Board September 23, 1991 For Adoption Without Committee Reference Calendar.

File 246-91-1

Requests for Hearings:

File 18-91-13, By Supervisor Ward: To consider feasibility of installing a Stop sign at the corners of Green and Buchanan Streets. Referred to Economic and Social Policy Committee.

Monday, September 16, 1991

File 19-91-11, By Supervisor Maher: To consider permitting parking between 6:00 p.m. and 9:00 a.m. on Pacific Avenue, between Columbus Avenue and Stockton Street. Referred to Economic and Social Policy Committee.

File 20-91-17, By Supervisor Maher: To consider banning lefthand turn lanes on Van Ness Avenue, south of Bush Street and establishing Gough Street as a one-way street from Lombard Street. Referred to Economic and Social Policy Committee.

File 53-91-3, By Supervisor Alioto: To consider status of the crosstown tunnel in Hunters Point. Referred to City Services Committee.

File 171-91-16, By Supervisor Ward: To consider enacting traffic measures to curtail the problem of cars speeding along Argonaut/Garrison Avenues. Referred to Economic and Social Policy Committee.

Motion

Referred to Committee

[Supplemental Appropriation]

Motion directing the Clerk of the Board to submit a request for a supplemental appropriation to the Mayor requesting a reappropriation of \$12,000 in salary savings from the two vacant Legislative Policy Analyst positions to the Children and Family Day Treatment Center. (Supervisor Alioto presented.) Referred to Finance Committee with request it be considered as soon as possible.

File 69-91-1

Introduced by the President at the Request of Departments

Referred to Committee

Ordinances:

File 45-91-54. [Settlement of Lawsuit] Authorizing settlement of litigation of Dorothy H. Tomlinson and Alfred T. Tomlinson against the City and County by payment of \$90,000. (City Attorney). Administration & Oversight.

File 45-91-55. [Settlement of Lawsuit] Authorizing settlement of attorneys' fees incurred in connection with racial harassment claims under consent decree against the San Francisco Fire Department, USA v. City and County of San Francisco, Fontaine Davis v. City and County of San Francisco. (City Attorney). Administration & Oversight.

File 82-91-3. [Sale of Subsurface Easement] Authorizing sale of a 15 foot wide subsurface easement over Bay Division Pipeline Nos. 3 and 4 Right of Way located in Milpitas, Santa Clara County, California, to the City of Milpitas for sewer line purposes. (Real Estate Department). Finance.

Monday, September 16, 1991

File 97-91-48. [Tow Reimbursement and Disputed Claims for Towed Vehicles] Amending Administrative Code by amending Sections 10C.1, 10C.4, 10C.5, 10C.6, 10C.7, 10C.8, and 10C.12 thereof, authorizing the Department of Parking and Traffic to pay reimbursement for towing and storage of vehicles; authorizing a person designated by the Chief of Police and the Director of the Department of Parking and Traffic to pay reimbursements not to exceed the amount authorized by payment of claims in Section 10.21 of the Administrative Code; and adding Sections 10.151-1 and 10.169-2 thereto, creating cash revolving funds for payment of towing and storage reimbursements. (Police Commission). Finance.

File 101-91-13. [Government Funding] Appropriating \$234,317, Fire Department, for capital improvement project (Emergency Operation Center). RO #91069. (Controller). Finance.

File 115-91-11. [Hotel and Motel Impacts] Amending Planning Code by amending Sections 209.2 and 216 thereof, to require all proposed tourist hotel and motel development projects to obtain a conditional use permit and amending Section 303 thereof, to require the Planning Commission, in determining whether to grant a conditional use permit for a tourist hotel or motel, to consider the impacts of the workforce of the proposed hotel or motel on the demand for housing, transit, employment, and childcare, and the market demand for hotel or motel, excepting therefrom the impacts of the workforce on housing of certain projects within the jurisdiction of the San Francisco Port Commission. (Department of City Planning). Economic & Social Policy.

Resolutions:

File 133-91-4. [Grant - State Funds] Authorizing Chief Administrative Officer (CAO) to apply for up to \$100,000 in household hazardous waste grant funding from the California Integrated Waste Management Board (CIWMB); waiving indirect costs. (Chief Administrative Officer). Finance.

File 153-91-8. [Grant - Federal Funds] Authorizing the Department of Social Services to apply for a grant in the amount of \$701,147 from the Office of Substance Abuse Prevention, Public Health Service, Federal Department of Health and Human Services. (Department of Social Services). Finance.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Migden, that letter of inquiry be sent to General Manager, Recreation and Park Department, regarding bicyclists on "no bicycle" paths in Golden Gate Park and other parks to determine the specific enforcement of ordinances governing the use of bicycles and how these are monitored and by whom.

By Supervisor Migden, that letters be sent to Director of Planning and Director of Public Works inquiring about the status of an apparently illegal hotel operation at 379 Collingwood Street. Has the proprietor applied for a conditional use permit; and, if not, what steps will be taken to bring the hotel into compliance.

Monday, September 16, 1991

By Supervisor Britt, that letter be sent to City Attorney to determine if the vacancy control measure is approved by the voters in November, 1991, how will it affect changes in tenancy which occurred after the Board passed the legislation but before the voters approved the referendum?

By Supervisor Maher, that City Attorney prepare resolution which will permit parking between 6:00 p.m. and 9:00 a.m. on Pacific Avenue between Columbus Avenue and Stockton Street.

By Supervisor Hsieh, that letter be sent to Chief of Fire Department inquiring whether construction alternatives to West Portal Avenue have been studied for the proposed auxiliary water supply system; and, if so, information be provided in the construction alternatives.

By Supervisor Maher, that City Attorney prepare resolution which would ban left-hand turn lanes on Van Ness Avenue, south of Bush Street and establish Gough Street as a one-way street from Lombard Street.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Jefferson A. Beaver (Supervisors Kennedy, Ward)
Dorothy Konstein-Klein (Supervisor Kennedy)
Frank Hyman (Supervisors Achtenberg, Shelley)
Ann Affleck (Supervisor Achtenberg)

File 2-91-37

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:32 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, September 16, 1991

Approved by the Board of Supervisors on May 26, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

23/91

Vol. 86

No. 38

Monday, September 23, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, September 23, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:23 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noted absent at first roll call:

Supervisors Britt, Hallinan - 2.

Quorum present.

Supervisor Britt excused, on official leave of absence.

Supervisor Hallinan excused.

Supervisor Hallinan Excused

The Clerk announced that Supervisor Hallinan has requested to be excused from the Board meeting of September 23, 1991

Supervisor Achtenberg, seconded by Supervisor Alioto, moved to excuse Supervisor Hallinan.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hallinan - 2.

Monday, September 23, 1991

CONSENT CALENDAR

Recommendation of Finance Committee

Finally Passed

[Childcare Center, Lease Agreement]

Ordinance authorizing negotiated lease agreement for childcare center at Southeast Community Facility located at 1800 Oakdale Avenue; effective retroactive to September 1, 1991. (Real Estate Department).

File 65-91-7, Ordinance No. 350-91

Finally passed.

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Bernice Ferreira against the City and County by payment of \$6,000. (City Attorney)

File 45-91-49, Ordinance No. 351-91

(Superior Court No. 921-402.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Verna McHenry against the City and County by payment of \$10,000. (City Attorney)

File 45-91-50, Ordinance No. 352-91

(Superior Court No. 922-313.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Alie Beth Zandstra against the City and County by payment of \$50,000. (City Attorney)

File 45-91-51, Ordinance No. 353-91

(Superior Court No. 912-574.)

Finally passed.

Monday, September 23, 1991

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of James Brightman against the City and County by payment of \$15,000. (City Attorney)

File 45-91-52, Ordinance No. 354-91

(Superior Court No. 925-299.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Nancy Wurnitsch against the City and County by payment of \$15,000. (City Attorney)

File 45-91-53, Ordinance No. 355-91

(Superior Court No. 910-329.)

Finally passed.

Recommendation of City Services Committee

Finally Passed

[Film and Video Arts Commission]

Ordinance amending Administrative Code, to clarify powers of the Film and Video Arts Commission, to permit film companies to enter into use agreements with Executive Director, to conform Chapter 57 of the Administrative Code with the Charter and other applicable regulations of the City and County and to correct clerical errors. (Supervisor Alioto)

File 97-91-40, Ordinance No. 358-91

(Amends Sections 57.2, 57.3, 57.4, 57.5, 57.6, 57.8, 57.11 and 57.13.)

Finally passed.

Recommendations of Economic and Social Policy Committee

Finally Passed

[Landmark]

Ordinance designating the Park Emergency Hospital at 811 Stanyan Street as a landmark pursuant to Article 10 of the City Planning Code. (Department of City Planning)

File 90-91-3, Ordinance No. 356-91

(Approved by City Planning Commission Resolution No. 13153.)

Monday, September 23, 1991

Finally passed.

[Water Conservation]

Ordinance amending Building Code, to require installation of water conservation devices in existing commercial buildings, including tourist hotels and motels, upon title transfer or major improvement and in any event no later than three years from the effective date of this ordinance. (Supervisors Migden, Shelley)

File 114-91-9, Ordinance No. 359-91

(Adds Chapter 53B.)

Finally passed.

[Parking Control]

Ordinance amending Traffic Code, regarding parking for state police vehicles only on Stevenson Street, west of Brady Street. (Department of Parking and Traffic).

File 124-91-7, Ordinance No. 360-91

(Adds Section 32.6.15.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hallinan - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Adopted

[Reimbursement to Employees]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty; consisting of 7 warrants in the aggregate amount of \$3,974.91. (Finance Committee)

Monday, September 23, 1991

File 51-91-1, Resolution No. 844-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hallinan - 2.

[Reimbursement to Employees]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty; consisting of 13 warrants in the aggregate amount of \$2,178.63. (Finance Committee)

File 51-91-2, Resolution No. 845-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hallinan - 2.

Recommendation of Administration and Oversight Committee

Finally Passed

[Workers Compensation]

Ordinance amending Administrative Code, relating to City employee workers compensation costs (and establishing a workers compensation task force). (Supervisors Hsieh, Kennedy, Alioto, Shelley, Migden, Achtenberg)

File 97-91-38, Ordinance No. 357-91

(Adds Sections 16.83-1 through 16.83-4.)

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to correct title to read: "Ordinance amending Administrative Code, relating to City employee workers compensation costs and establishing a Workers Compensation Task Force."

No objection and Clerk directed to comply.

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hallinan - 2.

Monday, September 23, 1991

Supervisor Achtenberg requested to be added as a co-sponsor.

NEW BUSINESS

Recommendation of Finance Committee

Adopted

[Work Furlough]

Resolution authorizing the Sheriff to enter into contracts with appropriate public or nonprofit agencies or private entities to provide a facility and services for the housing, sustenance, counseling, supervision, and related services for inmates eligible for work furlough. (Supervisor Gonzalez)

File 195-91-3, Resolution No. 847-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hallinan - 2.

Recommendation of Economic and Social Policy Committee

Consideration Continued

[Doyle Drive Task Force]

Resolution creating a Doyle Drive Task Force of 17 members to be appointed by the Board of Supervisors, which shall present to the Board by May 1, 1992, a written report containing findings regarding the current traffic conditions on Doyle Drive, an analysis of changes in conditions that are expected and recommendations to improve the safety of the conditions on Doyle Drive; the Task force shall terminate after May 31, 1992. (Supervisors Kennedy, Migden, Alioto)

File 55-91-2.1, Resolution No.

Supervisor Migden, seconded by Supervisor Maher, moved to continue consideration to October 14, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hallinan - 2.

Monday, September 23, 1991

Recommendations of City Services Committee

Adopted

[Permit]

Resolution granting revocable permission to Levi Strauss and Company to install five (5) 4-inch conduits for communication, data and security purpose under Union Street, east of Sansome Street, connecting the Icehouse at 151 Union Street (Block 112, Lot 9) and the Levi Strauss Building at 1155 Battery Street (Block 107, Lot 7); and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-91-5, Resolution No. 843-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hallinan - 2.

[Overcrowding at 1440 Harrison Street - DDS]

Resolution urging the Mayor to urge the Social Services Commission to look for temporary office space for the Department of Social Services to relieve the overcrowded conditions that exist at the Social Services Offices located at 1440 Harrison Street. (Supervisors Alioto, Achtenberg, Hsieh)

File 107-91-4, Resolution No. 846-91

(September 17, 1991 - Referred to Budget Analyst for fiscal impact determination.)

(September 23, 1991 - Budget Analyst advises no fiscal impact.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hallinan - 2.

SPECIAL ORDER - 3:00 P.M.

Joint Board of Supervisors/Redevelopment Agency

UNFINISHED BUSINESS

Consideration Continued

Monday, September 23, 1991

[Rincon Point - South Beach Redevelopment Plan]
Resolution adopting Final Supplemental Environmental Impact Report, finding and determining that the proposed amendment to the Rincon Point - South Beach Redevelopment Plan will have significant impacts on the environment and adopting and incorporating findings of Final Supplemental Environmental Impact Report. (Supervisor Ward)

File 151-91-2.1, Resolution No.

The Chair recognized Mr. Tom Conrad, Acting Secretary of the Redevelopment Agency who stated he is the Planning Director of the Agency and had been appointed by Ms. Oswald as Acting Commission Secretary for the meeting, that the Commissioners are not present and the Redevelopment Agency requests a continuance of these items until Monday, October 7, 1991, at 3:00 p.m. he then to adjourn the agency's commissioners' meeting to that date.

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to October 7, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hallinan - 2.

[Rincon Point - South Beach Redevelopment Plan]
Resolution adopting findings of the Board of Supervisors of the City and County of San Francisco made pursuant to the California Environmental Quality Act and the State guidelines in connection with the approval of the Amendment to the Rincon Point - South Beach Redevelopment Area. (Supervisor Ward)

File 151-91-2.2, Resolution No.

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to October 7, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hallinan - 2.

Monday, September 23, 1991

[Redevelopment Plan Amendment]

Ordinance amending Ordinance No. 14-81, amended by Ordinance No. 50-84, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to permit residential uses on two (2) parcels within the South Beach sub-area: Parcel I-1 (Oriental Warehouse and Palmisano parcels, located on First and Brannan Streets) and Parcel D, located on the northwest corner of Bryant and Beale Streets; permit office uses on Parcel C-1, located on the northwest corner of Folsom and Steuart Streets within the Rincon Point sub-area; increase the height limit on Parcels I-1 and I-3 from 105 to 160 feet; increase the residential density on Parcel F-1 (northeast corner of Bryant and First Streets) from 110 to 130 dwelling units per acre; allow accessory parking as a permitted use for the Oriental Warehouse; require the agency to impose fees, conditions and exactions to commercial office developers within the Rincon Point sub-area; include the Agency's housing participation policy; permit alternative land uses to be combined on the same parcel; and allow the Redevelopment Agency, on a short term basis, to lease any of its property for uses which are not in conformance with the adopted Redevelopment Plan. (Redevelopment Agency)

File 151-91-2, Ordinance No.

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to October 7, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hallinan - 2.

SPECIAL ORDER - 3:00 P.M.

Consideration Continued

[Public Hearing]

Hearing of appeal from the decision of the City Planning Commission by its Motion No. 13139, dated August 1, 1991, approving Conditional Use Application No. 91.292C, authorizing the amendment of a previous conditional use authorization as set forth in City Planning Commission Motion No. 8816 allowing transfer of ownership of an existing nonconforming automotive repair operation to a new party for property within both an RH-3 and RH-2 Districts of property located at 259 Frederick Street.

File 37-91-6

(Appeal filed August 30, 1991.)

(Categorically exempt from environmental review.)

Monday, September 23, 1991

Supervisor Migden on behalf of Supervisor Britt, seconded by Supervisor Maher, moved to continue consideration to October 7, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hallinan - 2.

From the Clerk

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13139, dated August 1, 1991, approving Conditional Use Application No. 91.292C, for conditional use authorization of property at 259 Frederick Street.

File 37-91-6.1

Supervisor Migden on behalf of Supervisor Britt, seconded by Supervisor Maher, moved to continue consideration to October 7, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hallinan - 2.

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13139, dated August 1, 1991, approving Conditional Use Application No. 91.292C, for a conditional use authorization of property at 259 Frederick Street.

File 37-91-6.2

Supervisor Migden on behalf of Supervisor Britt, seconded by Supervisor Maher, moved to continue consideration to October 7, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hallinan - 2.

Monday, September 23, 1991

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed conditional use of property at 259 Frederick Street, for action by the Board at its next meeting.

File 37-91-6.3

Supervisor Migden on behalf of Supervisor Britt, seconded by Supervisor Maher, moved to continue consideration to October 7, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hallinan - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Denhart Queen;
Ace Washington.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[ARC/AIDS - HIV Vigil]

Resolution authorizing the transfer of the revocable use agreement between the City and County of San Francisco and the ARC/AIDS Vigil to the HIV Vigil, subject to all of the terms and conditions contained in the original agreement. (Supervisor Britt)

File 108-91-1, Resolution No. 835-91

(September 16, 1991 - Introduced in Board for consideration on September 23, 1991.)

Adopted.

Monday, September 23, 1991

[Bay Bridge Running Event]

Resolution endorsing the Lifespan running event and directing the Clerk of the Board to send a letter to the State Department of Transportation supporting Lifespan's request to close three lanes of the Bay Bridge for their running event. (Supervisors Maher, Achtenberg, Britt, Migden)

File 246-91-1, Resolution No. 848-91

(September 16, 1991 - Introduced in Board for consideration on September 23, 1991.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Alioto, Britt, Hallinan - 3.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-38, Resolution No. 803-91

(Doris M. Ward, President, Board of Supervisors, September 27 - October 6; Roberta Achtenberg, member, Board of Supervisors, September 28 - October 2; Tom Hsieh, member, Board of Supervisors, September 27 - 28; Kevin F. Shelley, member, Board of Supervisors, September 28 - October 3, October 31 - November 17; Peter Ashe, member, Retirement Board, October 6 - 10; Mary E. Burns, General Manager, Recreation and Park Department, October 15 - 22; Dale A. Carlson, member, Library Commission, September 18 - 30; Sidney Chan, member, Recreation and Park Department, September 27 - October 4 and October 13 - 23; Edward Chow, member, Health Commission, September 13 - 18; Marilyn Chow, member, Social Services Commission, September 21 - 26 and October 11 - 16; Arthur Coleman, member, Port Commission, November 13 - 17; Chark

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Lui, member, Film and Video Arts Commission, September 14 - 22 and October 4 - November 1; Bonni Gibson, member, Retirement Board, September 19 - 23 and October 4 - 12; Dr. Zuretti L. Goosby, member, War Memorial Board of Trustees, September 12 - 26; Richard Guggenheim, member, Recreation and Park Commission, September 6 - 8 and October 19 - November 2; Margel F. Kaufman, member, Health Commission, September 25 - 29; Julia I. Lopez, General Manager, Department of Social Services, September 18 - 19; Sue Sommer Loos, member, Recreation and Park Commission, September 30 - October 7; H. Daniel McFarland, General Manager, Department of Electricity, October 1 - 13; Edward Powell, member, Film and Video Arts Commission, October 14 - 18 and November 5 - 15; Clare Murphy, General Manager, Retirement Board, October 23 - 24 and October 25; Frank A. Quinn, member, Fire Commission, September 18 - October 7; Arlo Smith, District Attorney, September 19; L. A. Turpen, Director of Ports, September 30 - October 3, 1991.)

Adopted.

[Street Closing]

Resolution authorizing temporary closing of portions of Market, Castro and 18th Streets, on Thursday, October 31, 1991, for a Halloween Celebration, sponsored by Sisters of Perpetual Indulgence, Inc.; and waiving the requirement that sponsor provide insurance. (Supervisor Britt)

File 42-91-54, Resolution No. 806-91

Adopted.

[March on Washington]

Resolution supporting the 1993 March on Washington for Lesbian and Gay rights. (Supervisors Migden, Achtenberg, Britt, Shelley)

File 235-91-2, Resolution No. 809-91

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

[October 5, 1991 - Reproductive Rights Day]

Resolution declaring October 5, 1991 as Defend All Reproductive Rights Day in the City and County of San Francisco.

File 4-91-21, Resolution No. 804-91

Supervisors Achtenberg and Migden presented for immediate adoption.

Adopted.

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[Del Monte Anniversary]

Resolution commending Del Monte Foods on their 100 year anniversary and thanking them for their generous subsidy of all Cable Car rides in San Francisco on September 20, 1991.

File 6-91-14, Resolution No. 805-91

Supervisor Migden presented.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Grove Street, between McAllister and Polk Streets, on Saturday, October 5, 1991, from 10:00 a.m. to 5:00 p.m. for a Pro Choice Rally sponsored by San Francisco Area Pro-Choice Coalition.

File 42-91-55, Resolution No. 807-91

Supervisor Achtenberg presented.

Adopted.

[Grant - Federal]

Resolution authorizing the Department of Public Health, Community Public Health Services, Epidemiology and Disease Control, Sexually Transmitted Disease Control, to apply for, accept and expend a grant of \$560,641 which includes indirect costs in the amount of \$11,000, based on 30% of personnel costs from the Centers for Disease Control for a research study to evaluate HIV Counseling Models, and to authorize the expenditure of grant funds to establish and finance civil service positions for the provision of these services. (Supervisor Gonzalez presented.) Adopted.

File 146-91-70, Resolution No. 808-91

Supervisor Gonzalez presented.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Alioto, Britt, Hallinan - 3.

OFF-CALENDAR LEGISLATION

Monday, September 23, 1991

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Shirley Black Unionist of the Year Day]
Resolution honoring Shirley Black and requesting the Mayor to proclaim October 24th Shirley Black, Unionist of the Year Day in San Francisco. (Supervisors Shelley, Achtenberg, Kennedy, Migden, Ward presented.) Referred to Board September 30, 1991 for Adoption Without Committee Reference Calendar.

File 4-91-22

[World Rainforest Week]
Resolution declaring October 19-26, 1991 World Rainforest Week. (Supervisors Shelley, Achtenberg, Alioto, Gonzalez, Hsieh, Maher, Ward presented.) Referred to Board September 30, 1991 for Adoption Without Committee Reference Calendar.

File 4-91-23

[Mary Robinson Day in San Francisco]
Resolution requesting Mayor Agnos to declare October 17th Mary Robinson Day. (Supervisors Shelley, Achtenberg, Maher presented.) Referred to Board September 30, 1991 for Adoption Without Committee Reference Calendar.

File 4-91-24

Referred to Committee

[Enterprise Zone Designation]
Resolution approving the California Department of Commerce's establishment of an Enterprise Zone in the City and County of San Francisco to provide employment for the City's economically disadvantaged population, to stimulate private investment in communities considered to be economically depressed, and to encourage business retention and attraction; and adopting findings pursuant to the California Environmental Quality act and the State CEQA guidelines. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at its October 2, 1991 meeting.

File 248-91-1

Referred to Committee

[24th Street - Drug Free Zone]
Resolution declaring 24th Street between Valencia Street and Potrero Avenue to be a "Drug Free Zone", urging the Mayor to urge the Police Commission to urge the Chief of Police to take every reasonable step

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to increase police efforts to combat drug dealing and related crime on 24th Street, and urging the State Legislature to amend the Health and Safety Code Sections 11353.1, 11353.5, 11353.6, 11353.7 and any other relevant provisions of State law to include offenses committed within 1000 feet of a church, playground, youth center or swimming pool. (Supervisor Gonzalez presented.) Referred to City Services Committee.

File 241-91-1

Referred to Board

[Black Male Awareness Program]

Resolution urging the Mayor of the City and County of San Francisco to support an established Black Male Awareness Program to insure that City agencies are properly planning and coordinating their efforts to deal with social issues involving a disproportionate number of black men and boys as well as the societal problems caused by issues affecting manhood, fatherhood and family. (Supervisors Kennedy, Ward presented.) Referred to Board September 30, 1991 for Adoption Without Committee Reference Calendar.

File 247-91-1

[Street Artist]

Resolution designating two selling spaces on Beach Street, northwest corner, at Hyde Street, for street artists certified by the Art Commission, City and County of San Francisco. (Supervisor Hallinan presented.) Referred to Board September 30, 1991 for Adoption Without Committee Reference Calendar.

File 169-91-1

Requests for Hearings:

File 118-91-8, By Supervisor Achtenberg: To consider requiring warning signs on oil based lubricants destroying the integrity of condoms. Referred to City Services Committee with request it be considered at its October 1, 1991 meeting.

File 173-91-6, By Supervisors Gonzalez, Shelley: To consider legislation to promote and revitalize San Francisco's fishing and seafood processing industry. Referred to Economic and Social Policy Committee.

File 205-91-2, By Supervisor Alioto: To consider the creation of a temporary Board of Supervisors committee regarding the closure, transfer and future of the Presidio Army Base. Referred to Administration and Oversight Committee with request it be considered at its October 8, 1991 meeting.

File 32-91-2, By Supervisors Shelley, Achtenberg: To consider cable television rates. Referred to Economic and Social Policy Committee.

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Motion

Referred to Board

File 189-91-3 [Permit Processing] Motion directing the Budget Analyst to prepare an analysis of permit processing, with specific regard to implementation of a one stop shop. (Supervisors Ward, Achtenberg, Hsieh, Maher, Migden presented.) Referred to Board September 30, 1991 for Adoption Without Committee Reference Calendar.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

Introduced by the President at the Request of Departments

ORDINANCES

File 45-91-56. [Settlement of Lawsuit] Authorizing settlement of litigation of Harry Andrews, et al., against the City and County by payment of \$20,000. (City Attorney). Administration & Oversight.

File 97-91-50. [Revolving Fund] Amending Administrative Code by amending Section 10.150 thereof, to increase Municipal Railway Revolving Fund to \$380,016. (Public Utilities Commission). Finance.

File 97-91-51. [Special Law Enforcement Services] Amending Administrative Code by amending Section 10B.2 thereto, pertaining to payment for special law enforcement services. (Police Commission). Finance.

File 101-91-15. [Government Funding] Appropriating \$1,173,450, Department Public Health-Central Office, San Francisco General Hospital and Community Mental Health Services, for permanent salaries-miscellaneous, temporary salaries, nurses, related mandatory fringe benefits and medical service contract, for the creation of twenty positions; subject of previous budgetary denial; companion measure to File 102-91-6. RO #91062. (Controller). Finance.

File 102-91-6. [Public Employment] Amending Annual Salary Ordinance, 1991-92, Department of Public Health, reflecting the addition of twenty positions (five positions Community Public Health Services, seven positions Mental Health, Substance Abuse, and Forensics and eight positions San Francisco General Hospital); companion measure to File 101-91-15. (Civil Service Commission). Finance.

File 121-91-8. [Filing & License Fees for Police Permits] Amending Police Code by amending Sections 2.26 and 2.27, relating to filing fees and deleting filing and license fees for motor vehicles for hire. (Police Commission). Finance.

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File 121-91-9. [Filing & License Fees for Police Permits] Amending Police Code by adding Section 2.26.1, relating to filing fees and Section 2.276.1, relating to licenses fees thereto, establishing separate fee schedules for motor vehicles for hire. (Police Commission). Finance.

File 123-91-1. [Sidewalk] Amending Public Works Code, by amending Section 706 thereof, requiring abutting owners to maintain safe condition and establishing liability in tort for failing to maintain in a safe condition. (Department of Public Works). Administration & Oversight.

RESOLUTIONS

File 7-91-11. [Public Transportation] Making a finding concerning proposed revisions of Municipal Railway Fare Schedule. (Public Utilities Commission). To Finance Committee with Direction to Report Back to Board by October 7, 1991.

File 25-91-28. [Contract] Concurring with the Controller's certification that Coordinator and Mentor Services for the Independent Living Skills Project can be practically performed at the Department of Social Services by private contractor for lower cost than similar work services performed by City and County employees. (Department of Social Services). Finance.

File 25-91-29. [Contract] Concurring with the Controller's certification that Vocational and Educational Counseling Services for the Independent Living Skills Project can be practically performed at the Department of Social Services by private contractor for lower cost than similar work services performed by City and County employees. (Department of Social Services). Finance.

File 38-91-16. [Acceptance of Gift] Authorizing acceptance by San Francisco Fire Department of a 1990 12-passenger van valued at \$12,000 from the San Francisco Fire Fighters Local 798. (Fire Commission). Finance.

File 146-91-5.1. [Grant - Private Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a continuing grant allocation of \$32,363, which includes indirect costs in the amount of \$2,169 based on twelve percent of personnel costs, from the University of California, San Francisco, to fund a portion of the Stress and Coping Among Aids Caregivers Project, and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services; companion measure to File 146-91-5. (Department of Public Health). Finance.

File 146-91-25.1. [Grant - State Funds] Authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control to accept and expend an augmentation to a grant of \$20,625, which excludes indirect costs since these costs are not allowed by the funder, from State Department of Health Services for immunization services, and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of

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these services; companion measure to File 146-91-25. (Department of Public Health). Finance.

File 146-91-35.1. [Grant - State Funds] Authorizing the Department of Health, Community Public Health Services, Bureau Family Health, to accept and expend a grant augmentation of \$61,795, that includes indirect costs in the amount of \$595, based on one percent of personnel costs from the Department of Health Services, Office of Family Planning for family planning services, and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services. (Department of Public Health). FINANCE.

File 146-91-54.1. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Programs, to accept and expend a grant of \$698,662, which includes indirect costs in the amount of \$41,247, based on twenty percent of personnel costs from Health and Human Services, Health Resources and Services Administration, for linked primary care medical and substance abuse treatment services, and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services; companion measure to File 146-91-54. (Department of Public Health). Finance.

File 146-91-68. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of \$6,200,000, which include indirect costs based on twenty percent of personnel costs, from the Department of Health and Human Services, Center for Disease Control, to continue funding the AIDS Prevention Project, and to establish and finance Civil Service positions for the provision of these services, for the residents of San Francisco. (Department of Public Health). Finance.

File 146-91-69. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a supplemental grant of \$176,546, which includes \$16,217 in indirect costs based on twenty percent of personnel costs, from the Department of Health and Human Services, Center for Disease Control, to augment the AIDS Surveillance Project, and to authorize the expenditure of these supplemental grant funds to establish and finance Civil Service positions for the provision of these services, for the residents of San Francisco. (Department of Public Health). Finance.

By Supervisor Shelley, that a letter be sent to the San Francisco Unified School District and the San Francisco Community College District inquiring whether they have revised their curricula to include accurate information about disabilities and to emphasize the capabilities of disabled persons, and the reasonable accommodation needed to enable them to achieve full participation in society.

By Supervisors Alioto, Gonzalez, that a letter be sent to the Chief of Police inquiring into the possibility of increased surveillance of Julian Avenue neighborhood by passing patrol cars and that a copy of his response be sent to members of the Board and to Kurt W. Picillo, c/o Julian Neighborhood Association, 140 Julian Avenue, #210, San Francisco, California 94103.

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By Supervisors Alioto, Gonzalez, that a letter be sent to the Director, Department of Public Works inquiring into the possibility of increased lighting in the Julian Avenue neighborhood and that a copy of his response be sent to members of the Board and to Kurt W. Picillo, c/o Julian Neighborhood Association, 140 Julian Avenue, #210, San Francisco, California 94103.

By Supervisor Gonzalez, that a letter be sent to the Director, San Francisco Port inquiring as to the status of the relocation or re-establishment of the fishing industry businesses which the Port required to vacate Pier 45 due to the October 17, 1989, Loma Prieta earthquake; and further inquire as to what has been done to secure personal property and essential equipment that the fishing industry companies have located a Pier 45; and whether the forced dismantling and relocation of essential fish processing equipment can be halted until the Port Commission adopts a resolution clearly delineating the future of the fishing industry at Pier 45.

By Supervisors Gonzalez, Shelley, that the City Attorney prepare a resolution establishing a ten-point plan for the revitalization of the seafood industry in San Francisco.

By Supervisor Hsieh, that a letter be sent to the Civil Service Commission inquiring what the Commission's response is to the proposals made by Mr. Joe Grubb, Executive Director of the Rent Board in his September 10th letter regarding job classifications and the ability of City employees to qualify for various positions in Civil Service and the status on the efforts of the Commission to reduce the number of Civil Service classifications from the current total of 1609.

By Supervisor Kennedy, that a letter be sent to the Chief of Police inquiring into the feasibility of having metal boxes bolted to the floorboard in each City-owned taxicab. (See attached letter.)

By Supervisor Kennedy, that a letter be sent to the Director, Mayor's Office of Children's Youth and Their Families inquiring into San Francisco's response to the County Child Care Survey, August 1991 prepared by the County Supervisors Association of California and why we have not implemented some of these important programs.

By Supervisor Kennedy, that a letter be sent to the Chief of Police, San Francisco and to the President, Safeway, Inc., located at 47400 Kato Road, Fremont, California 94538 inquiring into the alleged beating of a person caught stealing, by the Manager and several other employees of the Safeway located at 2020 Market Street.

By Supervisor Kennedy, that a letter be sent to the Director, Mayor's Office of Housing and Community Development inquiring into the dollar amount remaining in the Affordable Housing Fund.

By Supervisor Maher, that the City Attorney prepare an ordinance which would amend Title 22, Division 5 of the Business and Payroll Tax to exempt Division 6 (board and care facilities) in addition to the already exempt Division 5 (nursing homes).

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By Supervisor Kennedy, that a letter be sent to the Director, San Francisco Housing Authority inquiring about the potentially lethal problem of lead poisoning at the Alemany housing development.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Joseph P. Byrne (Supervisor Ward)
Jeong Louie (Supervisor Maher)
Victoria Briones Vilches (Supervisor Gonzalez)

File 2-91-38

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:23 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, September 23, 1991

Approved by the Board of Supervisors on June 1, 1992.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

30/91

Vol. 86

No. 39

Monday, September 30, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, September 30, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Doris M. Ward, the meeting was called to order at 2:38 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Noted absent at first roll call:

Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

Quorum present.

Supervisor Achtenberg excused, on official leave of absence.

Supervisor Kennedy excused, on official leave of absence.

Supervisor Maher excused, on official leave of absence.

Supervisor Shelley excused, on official leave of absence.

Supervisor Ward excused, on official leave of absence.

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Britt, seconded by Supervisor Alioto, moved that Supervisor Hsieh be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

Supervisors Achtenberg, Kennedy and Shelley Excused.

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Supervisor Hsieh thereupon assumed the Chair.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Britt, seconded by Supervisor Hallinan, moved that the Journals of Proceedings for Monday, Tuesday, Wednesday, January 7, 8 and 9, 1991, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Gonzalez requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Adopted as Amended

[Grant - State Funds]

Resolution authorizing Chief Administrative Officer (CAO) to apply for up to \$100,000 in household hazardous waste grant funding from the California Integrated Waste Management Board (CIWMB); waiving indirect costs; providing for ratification of action previously taken. (Chief Administrative Officer)

File 133-91-4, Resolution No. 866-91

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved to amend to add a "further resolved" clause: "That although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify the action previously taken." Amend title at end, "; providing for ratification of action previously taken."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

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Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$234,317, Fire Department, for capital improvement project (Emergency Operation Center), for fiscal year 1991-92. (Controller)

File 101-91-13, Ordinance No.

Passed for second reading.

[Government Funding]

Ordinance appropriating \$214,324, Mayor's Office of Community Development, for permanent salaries and professional services (Dispute Resolution Program), for fiscal year 1991-92. (Supervisor Shelley)

File 101-91-14, Ordinance No.

Passed for second reading.

Adopted

[Contracting Out City Services]

Resolution concurring with Controller's certification that uniformed security services can be practically performed for Public Utilities Commission by a private contractor for a lower cost than similar work services performed by City and County employees. (Public Utilities Commission)

File 25-91-27, Resolution No. 852-91

Adopted.

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[Acceptance of Gift]

Resolution accepting a gift to the Public Library of a wooden circulation counter, valued at \$6,479, from Bob Malloy and Associates. (Public Library)

File 38-91-14, Resolution No. 859-91

Adopted.

[Acceptance of Gift]

Resolution accepting a gift to the Public Library of one million dollars from the Library Foundation of San Francisco for interior design of the New Main Library. (Public Library)

File 38-91-15, Resolution No. 860-91

Adopted.

[Gift Acceptance]

Resolution authorizing the Department of Social Services to accept a gift in an amount not to exceed \$50,000 from the Federal National Mortgage Corporation (FREDDIE MAC) to provide for special needs of children in the care of the Family and Children's Division of the Department of Social Services. (Supervisor Ward)

File 38-91-17, Resolution No. 861-91

Adopted.

[Lease of Property]

Resolution authorizing lease of real property at 795 8th Avenue for the Fine Arts Museums, for offices. (Real Estate Department)

File 64-91-29, Resolution No. 864-91

Adopted.

[Lease of Property]

Resolution authorizing lease of real property at 657 Howard Street for the Fine Arts Museums, for offices and conservation treatment. (Real Estate Department)

File 64-91-30, Resolution No. 837-91

Adopted.

Recommendations of Economic and Social Policy Committee

Monday, September 30, 1991

Adopted

[Taxi zone]

Resolution rescinding Taxicab Stand on Broadway Street. (Economic and Social Policy Committee)

File 15-91-9, Resolution No. 856-91

(Taxi Zone - Rescind

536 Broadway Street, from 5 to 49 feet east of Romolo Place (44-foot zone).)

Adopted.

[Stop Intersections]

Resolution designating certain intersections as "Stop" Intersections. (Economic and Social Policy Committee)

File 18-91-12, Resolution No. 857-91

(Stop Signs - Establish

Hill Street and Sanchez Street, all corners, making this an all-way Stop.

Sutter Street and Presidio Avenue, northeast corner, stopping westbound Sutter Street traffic.

48th Avenue and Pacheco Street, southeast and northwest corners, stopping 48th Avenue traffic.

Front and Jackson Streets, northwest corner, stopping Front Street traffic.)

Adopted.

[Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets. (Economic and Social Policy Committee)

File 20-91-15, Resolution No. 858-91

(No Left - Turn - Establish

Masonic Avenue, southbound, at Euclid Avenue

No Left Turn - Establish

Bayshore Boulevard, northbound, at Oakdale Avenue.

Right Turn Only - Establish

Oakdale Avenue, eastbound, at Bayshore Boulevard.

Tow-Away No Stopping Anytime Except Muni - Establish

5th Street, east side, from I-80 On-Ramp to 285 feet northerly (285 foot zone).

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Tow Away No Stopping Anytime - Establish

5th Street, east side, from Howard Street to Mission Street.

Minna Street, north side, from garage exit to 4th Street
(approximately 250 foot zone).

O'Farrell Street, south side, Mason Street to Cyril Magnin
Street.

O'Farrell Street, south side, from 66 feet east of Powell Street
to Stockton Street.

Powell Street, east side, from Post Street to 100 feet south
(100 foot zone).

Post Street, south side, from Powell Street to Stockton Street.

Stockton Street, west side, from Post Street to Geary Street.

Geary Street, north side, from Stockton Street to Union Square
Garage entrance (160 foot zone).

Sutter Street, north side, from Stockton Street to 126 feet east
(126 foot-zone).

Crosswalk Closure - Rescind

Clay Street and Davis Street, east and west crosswalks

Midblock Crosswalk - Establish

Washington Street at Davis Street (closed), west side.

No Left Turn 4 - 6 P.M. - Rescind

No Left Turn 4 - 7 P.M. - Establish

Masonic Avenue, northbound, at Fell Street.

Tow Away - No Stopping 7 AM - 6PM, Except Saturday and Sunday -
Rescind

Kearny Street, east side, from Post Street to 170 feet south,
(170 foot zone).

Tow Away No Stopping 11 A.M. - 7 A.M. (Next Day) - Establish

Stockton Street, east side from O'Farrell Street to 113 feet
southerly (113 foot zone).

O'Farrell Street, south side, from Powell Street to 66 feet
easterly (66 foot zone).

Sutter Street, north side, from 126 feet to 188 feet east of
Stockton Street to 188 feet east (188 foot zone).

Powell Street, east side, from Post Street to 100 feet south
(100 foot zone).)

Adopted.

The foregoing items on the Consent Calendar were acted upon by
the following vote:

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Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$19,573, Department of Public Works, for capital improvement project (various location, traffic signal modification) and certifying \$19,573 from capital improvement project (various locations, traffic signal modification) to cover overage above 10 percent of contracted amount pursuant to provisions of Charter Section 7.203, for fiscal year 1991-92. (Controller)

File 101-91-11, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

[Government Funding]

Ordinance appropriating \$750,000, Department of Public Works, for capital improvement project (evaluation of Bayside Treatment), for fiscal year 1991-92; placing \$250,000 on reserve. (Controller)

File 101-91-12, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

[Airport Lease Modification]

Ordinance approving Modification No. 1 of Lease Agreement No. 82-0315 between China Airlines and City and County, acting by and through its Airports Commission. (Airports Commission)

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File 27-91-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

[Agriculture - Pesticide Regulations]

Ordinance amending Administrative Code, changing the title of the organization responsible for contracting with the City and County for pesticide regulation. (Department of Agriculture and Weights and Measures)

File 97-91-45, Ordinance No.

(Amends Section 1.13-3.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

[Agriculture - Inspection Fees]

Ordinance amending Administrative Code, changing the fees charged for inspection of agricultural products; effective January 1, 1992. (Department of Agriculture and Weights and Measures)

File 97-91-46, Ordinance No.

(Amends Section 1.10.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

Adopted

[Airport Financing]

Resolution authorizing Airports Commission to file application, accept and expend grant of \$11,967,472 from Federal Aviation Administration for assistance in improvement at the Airport (A.I.P. No. 12); placing \$10,504,972 on reserve. (Airports Commission)

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File 27-91-6, Resolution No. 836-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

Consideration Continued

[Parking Rate Changes]

Resolution approving changes in parking rates at City facilities. (Department of Parking and Traffic)

File 47-91-12, Resolution No.

Supervisor Britt, seconded by Supervisor Hallinan, moved to continue consideration to October 7, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

Adopted

[Lease of Property]

Resolution authorizing lease of real property at 30 Van Ness Avenue for Department of Public Works, for offices of the Bureau of Architecture; effective retroactive to September 23, 1991. (Real Estate Department)

File 64-91-28, Resolution No. 863-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

[Grant - State Funds]

Resolution authorizing the Art Commission to accept and expend \$30,000 of California Arts Council funds as requested and approved in Resolution No. 186-91, to support information and referral services to artists seeking combined living and studio space; to provide arts education resources linking schools and

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community centers to artists and arts organizations; waiving indirect costs; providing for ratification of action previously taken. (Art Commission)

File 132-91-1.1, Resolution No. 849-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

[Grant - Federal Funds]

Resolution authorizing the Art Commission, retroactively, to apply for, accept and expend \$12,000 of National Endowment for the Arts funds for conservation work on artwork in the North Terminal of San Francisco International Airport damaged by the October 17th Loma Prieta Earthquake; waiving indirect costs. (Art Commission)

File 132-91-8, Resolution No. 850-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

[Grant - State Funds]

Resolution authorizing the Art Commission, retroactively, to apply for, accept and expend \$48,207 of California Arts Council funds to provide operational support for the Art Commission's State-Local Partnership Program; to support artists honorable and exhibition programs for the Arts Commission Gallery; to support Arthouse, an information and referral program for artists seeking live/work space; and for live/work development consultant services; and further authorizing indirect costs to be waived. (Art Commission)

File 132-91-9, Resolution No. 851-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

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[Presidio Planning Grant - Department of the Interior]

Resolution authorizing the Director of Planning to apply for, accept and expend funds from the National Park Service totalling \$77,035 for a period of twelve months for Presidio Planning, including 10% for indirect costs. (Department of City Planning)

File 134-91-3, Resolution No. 867-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

[Grant - Federal Funds]

Resolution authorizing the City Librarian to accept and expend funds not to exceed \$34,530 available from the United States Department of Education for a Project Read Outreach Program; including indirect costs of five percent. (Public Library)

File 147-91-1.1, Resolution No. 868-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

[Grant - Federal Funds]

Resolution authorizing the City Librarian to accept and expend funds not to exceed \$25,477 available from the United States Department of Education for a Project Read Outreach Program; including indirect costs of five percent. (Public Library)

File 147-91-2.1, Resolution No. 869-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

[Grant - Federal Funds]

Resolution authorizing the Public Library to apply for, accept and expend funds not to exceed \$20,000 available through the California State Library from the Library Services and Construction Act for

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improving library services to Spanish-speaking immigrant populations for fiscal year 1991-92; including indirect costs of five percent. (Public Library)

File 147-91-8, Resolution No. 870-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

[Grant - Federal Funds]

Resolution authorizing the Department of Social Services to accept, and expend, the second year grant funds from the Department of Health and Human Services, Maternal and Child Health Bureau in the amount of \$120,000 and waiving the indirect cost of \$5,714 which is based on 5 percent of the total direct charges for FY 1991-92 for development of case management services to medically fragile and HIV positive infants; freezing contractual salaries at 1990-91 level; applying savings to Developmental Psychologist Services. (Department of Social Services)

File 153-91-7, Resolution No. 871-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

[Grant - Federal Funds]

Resolution authorizing the Department of Social Services to apply for a grant in the amount of \$1,301,851 from the Office of Substance Abuse Prevention, Public Health Service, Federal Department of Health and Human Services; including indirect costs of five percent; providing for ratification of action previously taken. (Department of Social Services)

File 153-91-8, Resolution No. 872-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

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Recommendations of Economic and Social Policy and Finance Committees

Passed for Second Reading

[Holiday Traffic Regulation]

Ordinance amending Traffic Code, providing for November and December Holiday Parking and Traffic Regulations. (Department of Parking and Traffic)

File 124-91-6, Ordinance No.

(Adds Section 49.)

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

Adopted

[Grant - Federal Funds]

Resolution approving the 1991 Five-Year Combined Road Plan (formerly Federal AID Urban Program) in the City and County of San Francisco. (Department of Public Works)

File 87-91-1, Resolution No. 865-91

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

[Policy - Federal Census]

Resolution supporting the Mayor's action challenging the U.S. Commerce Secretary's refusal to revise the 1990 U.S. Census population figures, despite evidence that more than five million people nationwide were overlooked in the original count. (Health Commission)

File 43-91-6, Resolution No. 862-91

(Fiscal Impact.)

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Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

Recommendation of City Services and Finance Committees

Passed for Second Reading

[Width of Sidewalk]
Ordinance amending Ordinance No. 1061 entitled, "Regulating the Width of Sidewalks" by adding Sections 1504 and 1505 changing official width of sidewalk on the west side of Noe Street between Market and 17th Streets and on both sides of Market Street from Duboce Avenue to Castro and 17th Streets, and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-91-1, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

Recommendations of Economic and Social Policy Committee

Passed for Second Reading

[Tour Bus Restriction]
Ordinance amending Police Code, regarding tour bus restrictions on Lombard Street, between Van Ness Avenue and Polk Street.
(Department of Parking and Traffic)

File 121-91-7, Ordinance No.

(Adds Section 1183.21.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

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Adopted as Amended

[Street Vacation]

Resolution declaring intention of Board of Supervisors to vacate the portion of Powhattan Avenue lying between Andover and Moultrie Streets; and setting the date of November 18, 1991 at 2:00 p.m. in the Legislative Chambers, for hearing all persons interested in the proposed vacation. (Department of Public Works)

File 164-91-4, Resolution No. 873-91

Supervisor Migden, seconded by Supervisor Britt, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Hallinan requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to City Services Committee

[Street Artist]

Resolution designating two selling spaces on Beach Street, northwest corner, at Hyde Street, for street artists certified by the Art Commission, City and County. (Supervisor Hallinan)

File 169-91-1, Resolution No.

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(September 23, 1991 - Introduced in Board for consideration on September 30, 1991.)

At the request of Supervisor Hallinan, subject legislation was referred to the City Services Committee.

The Board resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference

Adopted

[Shirley Black Unionist of the Year Day]
Resolution honoring Shirley Black and requesting the Mayor to proclaim October 24th Shirley Black, Unionist of the Year Day in San Francisco. (Supervisors Shelley, Achtenberg, Kennedy, Migden, Ward)

File 4-91-22, Resolution No. 853-91

(September 23, 1991 - Introduced in Board for consideration on September 30, 1991.)

Adopted.

[World Rainforest Week]
Resolution declaring October 19-26, 1991 World Rainforest Week. (Supervisors Shelley, Achtenberg, Alioto, Gonzalez, Hsieh, Maher, Ward, Migden)

File 4-91-23, Resolution No. 854-91

(September 23, 1991 - Introduced in Board for consideration on September 30, 1991.)

Adopted.

[Mary Robinson Day in San Francisco]
Resolution requesting Mayor Agnos to declare October 17th Mary Robinson Day. (Supervisors Shelley, Achtenberg, Maher)

File 4-91-24, Resolution No. 855-91

(September 23, 1991 - Introduced in Board for consideration on September 30, 1991.)

Adopted.

[Black Male Awareness Program]
Resolution urging the Mayor of the City and County of San Francisco to support an established Black Male Awareness Program to insure that City agencies are properly planning and coordinating their efforts to deal with social issues involving a disproportionate

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number of black men and boys as well as the societal problems caused by issues affecting manhood, fatherhood and family. (Supervisors Kennedy, Ward, Achtenberg, Migden)

File 247-91-1, Resolution No. 874-91

(September 23, 1991 - Introduced in Board for consideration on September 30, 1991.)

Adopted.

[Condominium Project]

Motion approving final map of Fulton Grove, also known as 421-457 Fulton Street and 440A-440B Grove Street, being a resubdivision of Lots 11 and 29 in Assessor's Block 793; and adopting findings pursuant to City Planning Code election 101.1. (Department of Public Works)

File 58-91-27

(September 23, 1991 - Introduced in Board for consideration on September 30, 1991.)

Adopted.

[Permit Processing]

Motion directing the Budget Analyst to prepare an analysis of permit processing, with specific regard to implementation of a one stop shop. (Supervisors Ward, Achtenberg, Hsieh, Maher, Migden.)

File 189-91-3

(September 23, 1991 - Introduced in Board for consideration on September 30, 1991.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this

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calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-39, Resolution No. 838-91

(Mayor Art Agnos, September 27 - 30; Sonia Bolanos, member, Redevelopment Agency, September 29 - October 12; August Coppola, member, Film and Video Arts Commission, September 22 - October 1; Joseph Cuneo, trustee, War Memorial, September 29 - October 21; Thomas Elzey, General Manager, Public Utilities Commission, September 20 - 23, September 29 - October 3 and October 15 - 20; Doug Engmann, member, City Planning Commission, September 29 - October 12; M.H. Geistlinger, Director of Purchasing, December 14 - 29; Anne Halsted, member, Port Commission, October 1 - November 14; James Morales, member, City Planning Commission, October 3 - 10; Chris Mouroufas, member, Film and Video Arts Commission, October 17 - 24; Patrick Murphy, Vice President, Airports Commission, September 25 - 27; Harry S. Parker, III, Director, Fine Arts Museums, October 23 - 27; Angelo Quaranta, member, Parking and Traffic, September 29 - 12; Michael Rossoff, member, Rent Board, September 21 - 30; Richard Sanchez, member, Health Commission, October 14 - 24, 1991.)

Adopted.

[Street Closing]

Resolution authorizing temporary closing of portions of 24th Street, on Saturday, October 12, 1991, from 3:00 p.m. to 5:15 p.m., for a Cultural Artistic Event sponsored by Committee 500 Years of Self-Discovery. (Supervisor Gonzalez)

File 42-91-56, Resolution No. 840-91

(24th Street, between Balmy and Alabama Streets, from 3:00 p.m. to 3:45 p.m.;
24th Street, between Alabama and York Streets, from 3:45 p.m. to 4:30 p.m.;
24th Street, between York and Utah Streets, from 4:30 p.m. to 5:15 p.m.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

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[AB 101 Veto]

Resolution denouncing the Governor's decision to veto AB 101.

File 12-91-44, Resolution No. 839-91

Supervisors Migden, Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Shelley presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of 24th Street, between Mission and York Streets; Mission Street, between 24th Street and 25th Street including the intersection of 24th and Mission Streets, on Saturday, November 2, 1991 from 5:30 p.m. to 10:00 p.m. for Dia De Los Muertos Annual Celebration sponsored by Galeria De La Raza/Studio 24. (Supervisor Hallinan)

File 42-91-57, Resolution No. 841-91

Supervisor Hallinan presented for immediate adoption.

Adopted.

[Urging Waiver of Insurance for Prop P Rally]

Resolution urging the Mayor to Uige the Recreation and Park Commission to waive the requirement of insurance for a November 3, 1991 rally to be held at Mission Dolores Park in support of Proposition "P" on the November 1991 election ballot.

File 193-91-6, Resolution No. 842-91

Supervisor Hallinan presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Achtenberg, Kennedy, Maher, Shelley, Ward - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Monday, September 30, 1991

Referred to Committee

[Government Funding]

Draft ordinance appropriating \$1,236,019 for various purposes (purchase of building at 25 Van Ness Avenue) Real Estate for fiscal year 1991-92. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at its October 9, 1991, meeting.

File 101-91-17

[Junk Dealers -- Definition]

Ordinance amending Part II, Chapter VIII, Article 13.1 of the San Francisco Municipal Code (Police Code), by amending Sections 974.1 and 974.2 thereof, to exclude a recycler from provisions regulating a Junk Dealer. (Supervisor Shelley presented.) Referred to City Services Committee.

File 121-91-10

[Exchange of Real Property]

Ordinance authorizing transfer from the San Francisco Water Department to the San Francisco Community College District of a portion of Lot 1 in Assessor's Block 3180 in exchange for the transfer from the San Francisco Community College District to the San Francisco Water Department of Lot 18 in Assessor's Block 3571; and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Ward presented.) Referred to Finance Committee.

File 199-91-3

[Public Transportation]

Resolution approving a revised fare schedule for the San Francisco Municipal Railway. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at its October 2, 1991, meeting.

File 7-91-11.1

Referred to Board

[Childhood Lead Poisoning Prevention]

Resolution placing the San Francisco Board of Supervisors on record in support of the Childhood Lead Poisoning Prevention Act of 1991 (AB 2038, Connelly). (Supervisor Shelley presented.) Referred to Board October 7, 1991, for Adoption without Committee Reference Calendar.

File 12-91-45

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Referred to Committee

[Sewer Construction Financing]

Resolution finding and determining that the southeast area combined sewer overflow control facilities will protect and preserve the environment and that the use of loan funds is the most cost-effective method of financing the project; authorizing the Director of Public Works to apply for and enter into loan agreements not to exceed approximately \$4.1 million. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 53-91-4

[Federal Grant - Substance Abuse Prevention]

Resolution amending Resolution No. 116-91, authorizing the Mayor to apply for, accept and expend funds in the amount of \$721,186 through the Office for Substance Abuse Prevention for the Community Partnership Program, by authorizing the Mayor to accept and expend additional funds in the amount of \$700,000, with \$600,000 designated for the Japanese Community Youth Council, and \$100,000 designated for the Mayor's Community Partnership Project. (Supervisor Shelley presented.) Referred to Finance Committee.

File 68-90-16.2

Requests for Hearings:

File 47-91-14, By Supervisor Gonzalez: To consider the parking rate increase for City Parking Garages to determine whether it would be better to lower the parking rates on Sundays to encourage more patrons to utilize the City Parking Garages when lots are normally not full. Referred to Economic and Social Policy Committee.

File 97-91-52, By Supervisor Migden: To consider amending the Administrative Code and other relevant codes to protect individuals from discrimination in employment and hiring based on personal appearance. Referred to Economic and Social Policy Committee.

Motion

Referred to Board

[Transactions and Use Tax]

Motion calling and providing for a special election to be held on December 10, 1991, for the purpose of submitting to the voters an ordinance adding Article 15 to Part III of the Municipal Code of the City and County of San Francisco providing for the imposition of a one quarter of one per cent Transactions and Use Tax and for other purposes and order of consolidation in the event it is necessary. (Supervisor Migden presented.) Referred to Board October 7, 1991, for Adoption Without Committee Reference Calendar.

File 60-91-12

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Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-91-57. [Settlement of Lawsuit] Authorizing settlement of litigation of Maria Estrada and Roger Estrada against the City and County by payment of \$15,000. (City Attorney) Administration and Oversight.

File 82-91-4. [Sale of Easements] Authorizing sale of two non-exclusive access easements of property owned by the City and County of San Francisco (Public Utilities Commission's Hetch Hetchy property in San Joaquin County) to Connolly Ranch, Inc. for the purpose to permit limited pedestrian and vehicular egress to and from property - \$5,000. (Real Estate Department) Finance.

File 101-91-16. [Government Funding] Appropriating \$25,000, Retirement System, for overtime, rescinding \$25,000 from permanent salaries and mandatory fringe benefit. (Controller) Finance.

File 199-91-3. [Exchange of Real Property] Authorizing transfer from the San Francisco Water Department to the San Francisco Community College District of a portion of Lot 1 in Assessor's Block 3180 in exchange for the transfer from the San Francisco Community College District to the San Francisco Water Department of Lot 18 in Assessor's Block 3571; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department) Finance.

Resolutions Referred to Committee

File 25-91-30. [Airport Administration] Approving the Controller's certification that Airport Information Booth Program for San Francisco International Airport can practically be performed by private contractor at a lower cost for this new program than if work were performed by City and County employees at presently budgeted levels. (Airports Commission) Finance.

File 28-91-10. [Airport Administration] Approving a declaration of emergency, electrical power cable failure, Cable 12BATS-1 San Francisco International Airports. (Airports Commission) Finance.

File 38-91-18. [Acceptance of Gift] Acceptance of a gift (retired Boeing 727-100 Aircraft valued at \$250,000) from United Airlines and the San Francisco Community College District for joint use by College and San Francisco International Airport. (Airports Commission) Finance.

File 84-91-2. [Acquisition of Real Property] Authorizing the City and County of San Francisco to acquire, on behalf of the Police Department, the real property located in Assessor's Block 3577 and identified as Lots 1, 1A, 4, 5, 60, 64, and a portion of 65; and to adopt findings pursuant to City Planning Code Section 101.1; companion measure to File 101-90-86.1. (Real Estate Department) Finance.

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File 98-91-3. [Budget Analyst] Exercising the first option set forth in the agreement to provide Budget Analyst services between the Board of Supervisors and Stanton W. Jones and Associates/Debra A. Newman/Rodriguez, Perez, Delgado & Company Certified Public Accountants/Harvey M. Rose Accountancy Corporation Certified Public Accountants/Wallace, Mah & Louis Certified Public Accountants - A Joint Venture, to extend the term of the agreement from January 1, 1992 to December 31, 1993. (Clerk of the Board). Administration & Oversight.

File 143-91-2. [Grant - State Funds] Authorizing the Chief of Police of the City and County of San Francisco to apply for accept and expend funds in the amount of \$103,603 made available through the Office of Criminal Justice Planning for a project entitled "Gang Violence Suppression Program"; and agreeing to provide cash match in the amount of \$34,534. (Mayor). Finance.

File 143-91-3. [Grant - State Funds] Authorizing the Chief of Police to accept a grant from the Office of Criminal Justice Planning in the amount of \$140,000 for Gang Task Force (\$105,000 from the Office of Criminal Justice Planning and the cash match of \$35,000 is provided by the Fiscal Year 1991-92 Budget). (Police Commission). Finance.

File 144-91-2. [Grant - State Funds] Authorizing the Executive Director of the Port to apply for, accept and expend grant funds in the amount of \$5,809,050 from the California Transportation Commission and \$425,000 from the Metropolitan Transportation Commission for support of Phase II of the Northern Ferry Terminal on Pier 1/2. (Port Commission). Finance.

File 199-91-2. [Jurisdictional Transfer] Transferring jurisdiction from the Water Department to the Recreation Department of a portion of Lot 6 in Assessor's Block 7281, a portion of the Old Great Highway, for inclusion in the Zoo Master Plan Expansion Program; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department). Finance.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Migden, that City Attorney draft legislation amending Administrative Code and other relevant codes to protect individuals from discrimination in employment and hiring based on personal appearance.

By Supervisor Alioto, that letter be sent to the Department of Parking and Traffic to inquiring as to the feasibility of installing stop signs in the southeast and northwest corners of Hyde Street where it intersects Green Street.

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By Supervisor Gonzalez, that a letter be sent to the Director of the Department of Parking and Traffic inquiring whether the department can investigate a citizen's complaint regarding the alleged double-parking on Stockton Street between Broadway and Sacramento, which congests the area and whether the department can investigate the citizens' recommendation to alleviate this problem by:

- 1) disallowing vehicles on Stockton Street between Broadway and Sacramento; or by
- 2) aggressively enforcing pedestrian and vehicle regulations in that area.

By Supervisor Gonzalez, that a letter be sent to the City Attorney inquiring whether she has sent the Clerk of the Board a copy of the amended City Planning Code governing the Group Housing definition which will permit institutions such as the Family House and other hospices to exist; and further requests the Clerk of the Board to transmit the legislation to the Department of City Planning as soon as possible, since they are in the process of revising the Planning Code governing all residential districts.

By Supervisor Hsieh, that a letter be sent to the Mayor inquiring about the process and reasons behind the City and County of San Francisco's decision to support AB 204, which will require retrofit of unreinforced masonry buildings to a higher standard than what the Chief Administrative Officer has proposed for San Francisco.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Albert A. Axelrod (Supervisor Kennedy)
Roy Peterson (Supervisor Achtenberg)
Jerry Berg (Supervisors Achtenberg, Alioto, Britt, Gonzalez,
Migden)

File 2-91-39

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:07 p.m. adjourned.

Monday, September 30, 1991

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 8, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

7/91

Vol. 86

No. 40

Monday, October 7, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, October 7, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:20 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley, Ward - 8.

Noted absent at first roll call:

Supervisors Britt, Maher, Migden - 3.

Quorum present.

Supervisor Britt was noted present at 2:21 p.m.

Supervisor Migden was noted present at 2:22 p.m.

Supervisor Maher was noted present at 2:29 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Hsieh, seconded by Supervisor Kennedy, moved that the Journals of Proceedings for Monday, January 14 and Tuesday, January 22, 1991, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Noes: Supervisor Maher - 1.

CONSENT CALENDAR

Severed from Consent Calendar

Monday, October 7, 1991

Supervisor Kennedy requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Adopted

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of \$6,200,000, which includes indirect costs based on twenty percent of personnel costs, from the Department of Health and Human Services, Center for Disease Control, to continue funding the AIDS Prevention Project, and to establish and finance civil service positions for the provision of these services, for the residents of San Francisco. (Department of Public Health)

File 146-91-68, Resolution No. 886-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$19,573, Department of Public Works, for capital improvement project (various locations, traffic signal modification) and certifying \$19,573 from capital improvement project (various locations, traffic signal modification) to cover overage above 10 percent of contracted amount pursuant to provisions of Charter Section 7.203, for fiscal year 1991-92. (Controller)

File 101-91-11, Ordinance No. 364-91

Finally passed.

[Government Funding]

Ordinance appropriating \$750,000, Department of Public Works, for capital improvement project (evaluation of Bayside Treatment), for fiscal year 1991-92; placing \$250,000 on reserve. (Controller)

Monday, October 7, 1991

File 101-91-12, Ordinance No. 365-91

Finally passed.

[Government Funding]

Ordinance appropriating \$234,317, Fire Department, for capital improvement project (Emergency Operation Center), for fiscal year 1991-92. (Controller)

File 101-91-13, Ordinance No. 366-91

Finally passed.

[Government Funding]

Ordinance appropriating \$214,324, Mayor's Office of Community Development, for permanent salaries and professional services (Dispute Resolution Program), for fiscal year 1991-92. (Supervisor Shelley)

File 101-91-14, Ordinance No. 367-91

Finally passed.

[Airport Lease Modification]

Ordinance approving Modification No. I of Lease Agreement No. 82-0315 between China Airlines and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-91-7, Ordinance No. 370-91

Finally passed.

[Agriculture - Pesticide Regulations]

Ordinance amending Administrative Code, changing the title of the organization responsible for contracting with the City and County for pesticide regulation. (Department of Agriculture and Weights and Measures)

File 97-91-45, Ordinance No. 362-91

(Amends Section 1.13-3.)

Finally passed.

[Agriculture - Inspection Fees]

Ordinance amending Administrative Code, changing the fees charged for inspection of agricultural products; effective January 1, 1992. (Department of Agriculture and Weights and Measures)

Monday, October 7, 1991

File 97-91-46, Ordinance No. 363-91

(Amends Section 1.10.)

Finally passed.

Recommendation of Economic and Social Policy and Finance Committees

Finally Passed

[Holiday Traffic Regulation]

Ordinance amending Traffic Code, providing for November and December Holiday Parking and Traffic Regulations. (Department of Parking and Traffic)

File 124-91-6, Ordinance No. 369-91

(Adds Section 49.)

(Fiscal Impact.)

Finally passed.

Recommendation of City Services and Finance Committees

Finally Passed

[Width of Sidewalk]

Ordinance amending Ordinance No. 1061 entitled, "Regulating the Width of Sidewalks" by adding Sections 1504 and 1505 changing official width of sidewalk on the west side of Noe Street between Market and 17th Streets and on both sides of Market Street from Duboce Avenue to Castro and 17th Streets, and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-91-1, Ordinance No. 361-91

(Fiscal Impact.)

Finally passed.

Recommendation of Economic and Social Policy Committee

Finally Passed

[Tour Bus Restriction]

Ordinance amending Police Code, regarding tour bus restrictions on Lombard Street, between Van Ness Avenue and Polk Street. (Department of Parking and Traffic)

Monday, October 7, 1991

File 121-91-7, Ordinance No. 368-91

(Adds Section 1183.21.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote: ✓

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Adopted

[Parking Rate Changes]

Resolution approving changes in parking rates at City facilities.
(Department of Parking and Traffic)

File 47-91-12, Resolution No. 885-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Britt - 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Sale of Subsurface Easement]

Ordinance authorizing sale of a 15 foot wide subsurface easement over Bay Division Pipeline Nos. 3 and 4 Right of Way located in Milpitas, Santa Clara County, California, to the City of Milpitas for sewer line purposes. (Real Estate Department)

File 82-91-3, Ordinance No. 372-91

Monday, October 7, 1991

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted

[Public Transportation]

Resolution making a finding concerning proposed revisions of Municipal Railway Fare Schedule. (Public Utilities Commission)

File 7-91-11, Resolution No. 882-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Maher, Shelley, Ward - 7.

Absent: Supervisors Achtenberg, Britt, Hsieh, Migden - 4.

[Public Transportation]

Resolution approving a revised fare schedule for the San Francisco Municipal Railway; companion measure to File 7-91-11. (Public Utilities Commission)

File 7-91-11.1, Resolution No. 883-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Maher, Shelley, Ward - 7.

Absent: Supervisors Achtenberg, Britt, Hsieh, Migden - 4.

[Enterprise Zone Designation]

Resolution approving the California Department of Commerce's establishment of an enterprise zone in the City and County of San Francisco to provide employment for the City's economically disadvantaged population, to stimulate private investment in communities considered to be economically depressed, and to encourage business retention and attraction; and adopting findings pursuant to the California Environmental Quality Act and the State CEQA guidelines; and requesting a report on the implementation and status of the Enterprise Zone Program one year after the State authorizes the Final Enterprise Zone designation. (Supervisors Gonzalez, Kennedy, Ward)

File 248-91-1, Resolution No. 881-91

Adopted by the following vote:

Monday, October 7, 1991

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Supervisors Kennedy and Ward requested to be added as a co-sponsors.

Recommendation of City Services Committee

Adopted as Amended

[Pedicabs at the Wharf]

Resolution urging the Mayor to urge the Port Commission, the Police Commission and the Interdepartmental Staff Committee on Traffic and Transportation to investigate and consider the establishment of designated passenger pick-up and drop-off sites for pedicabs, and submit a report to the City Services Committee by ((October))November 15, 1991. (Supervisor Alioto)

File 171-91-12, Resolution No. 887-91

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to amend title, line 6, by replacing "October 15, 1991" with "November 15, 1991"; on page 2, line 2 replace "October 15, 1991" with "November 15, 1991".

Motion to amend adopted by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 7.

Noes: Supervisors Achtenberg, Alioto, Britt, Migden - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

SPECIAL ORDER 2:30 P.M.

Report Received

[State of the City Message]
Mayor's State of the City Message.

File 88-91-1

Mayor Art Agnos appeared and presented his State of the City message (a copy of which is on file in the office of the Clerk of the Board of Supervisors).

Monday, October 7, 1991

SPECIAL ORDER - 3:00 P.M.

Joint Board of Supervisors/Redevelopment Agency

Consideration Continued

[Rincon Point - South Beach Redevelopment Plan]
Resolution adopting Final Supplemental Environmental Impact Report, finding and determining that the proposed amendment to the Rincon Point - South Beach Redevelopment Plan will have significant impacts on the environment and adopting and incorporating findings of Final Supplemental Environmental Impact Report. (Supervisor Ward)

File 151-91-2.1, Resolution No.

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to continue consideration to November 12, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

[Rincon Point - South Beach Redevelopment Plan]
Resolution adopting findings of the Board of Supervisors of the City and County of San Francisco made pursuant to the California Environmental Quality Act and the State guidelines in connection with the approval of the Amendment to the Rincon Point - South Beach Redevelopment Area. (Supervisor Ward)

File 151-91-2.2, Resolution No.

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to continue consideration to November 12, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

Date of Joint Public Hearing Fixed

[Public Hearing]
Public hearing on the proposed further amendments to the proposed Rincon Point-South Beach Redevelopment Plan Amendment, dated October 4, 1991.

Monday, October 7, 1991

Supervisor Kennedy, seconded by Supervisor Hsieh, moved that the Board of Supervisors reopen the Public Hearing for the limited purpose of considering proposed further amendments to the Proposed Rincon Point - South Beach Redevelopment Plan Amendment as described in a document prepared by the Redevelopment Agency dated October 4, 1991, (a copy of which is included in the file) and that the reopened Public Hearing shall be conducted on Tuesday, November 12, 1991, at 3:00 p.m.

Motion to reopen the public hearing adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

[Redevelopment Plan Amendment]

Ordinance amending Ordinance No. 14-81, amended by Ordinance No. 50-84, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to permit residential uses on two (2) parcels within the South Beach sub-area: Parcel I-1 (Oriental Warehouse and Palmisano parcels, located on First and Brannan Streets) and Parcel D, located on the northwest corner of Bryant and Beale Streets; permit office uses on Parcel C-1, located on the northwest corner of Folsom and Steuart Streets within the Rincon Point sub-area; increase the height limit on Parcels I-1 and I-3 from 105 to 160 feet; increase the residential density on Parcel F-1 (northeast corner of Bryant and First Streets) from 110 to 130 dwelling units per acre; allow accessory parking as a permitted use for the Oriental Warehouse; require the agency to impose fees, conditions and exactions to commercial office developers within the Rincon Point sub-area; include the Agency's housing participation policy; permit alternative land uses to be combined on the same parcel; and allow the Redevelopment Agency, on a short term basis, to lease any of its property for uses which are not in conformance with the adopted Redevelopment Plan.
(Redevelopment Agency)

File 151-91-2, Ordinance No.

Supervisor Kennedy, seconded by Supervisor Hsieh moved to continue consideration to November 12, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

SPECIAL ORDER - 3:00 P.M.

Monday, October 7, 1991

Consideration Continued

[Public Hearing]

Hearing of appeal from the decision of the City Planning Commission by its Motion No. 13139, dated August 1, 1991, approving Conditional Use Application No. 91.292C, authorizing the amendment of a previous conditional use authorization as set forth in City Planning Commission Motion No. 8816 allowing transfer of ownership of an existing nonconforming automotive repair operation to a new party for property within both an RH-3 and RH-2 Districts of property located at 259 Frederick Street.

File 37-91-6

(Appeal filed August 30, 1991.)

(Categorically exempt from environmental review.)

Supervisor Britt, seconded by Supervisor Maher, moved to continue consideration to October 21, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

From the Clerk

Consideration Continued

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13139, dated August 1, 1991, approving Conditional Use Application No. 91.292C, for conditional use authorization of property at 259 Frederick Street.

File 37-91-6.1

Supervisor Britt, seconded by Supervisor Maher, moved to continue consideration to October 21, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

Monday, October 7, 1991

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13139, dated August 1, 1991, approving Conditional Use Application No. 91.292C, for a conditional use authorization of property at 259 Frederick Street.

File 37-91-6.2

Supervisor Britt, seconded by Supervisor Maher, moved to continue consideration to October 21, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed conditional use of property at 259 Frederick Street, for action by the Board at its next meeting.

File 37-91-6.3

(September 23, 1991 - Consideration continued to October 7, 1991.)

Supervisor Britt, seconded by Supervisor Maher, moved to continue consideration to October 21, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

SPECIAL ORDER - 3:00 P.M.

Consideration Continued

[Public Hearing]

Hearing of appeal from the decision of the City Planning Commission by its Motion No. 13148, dated August 15, 1991, approving Conditional Use Application No. 90.653C, authorizing a religious facility (Synagogue) in an RH-1 (House, One Family) District of property located at 1495 42nd Avenue.

File 37-91-7

(Appeal filed September 16, 1991.)

(Categorically exempt from environmental review.)

Monday, October 7, 1991

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to October 28, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

From the Clerk

Consideration Continued

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13148, dated August 15, 1991, approving Conditional Use Application No. 90.653C, for conditional use authorization of property at 1495 42nd Avenue.

File 37-91-7.1

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to October 28, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13148, dated August 15, 1991, approving Conditional Use Application No. 90.653C, for conditional use authorization of property at 1495 42nd Avenue.

File 37-91-7.2

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to October 28, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Monday, October 7, 1991

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed conditional use of property at 1495 42nd Avenue, for action by the Board at its next meeting.

File 37-91-7.3

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to October 28, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

From Finance Committee

Passed for Second Reading

[Exchange of Real Property]

Ordinance authorizing transfer from the San Francisco Water Department to the San Francisco Community College District of a portion of Lot 1 in Assessor's Block 3180 in exchange for the transfer from the Community College District to the Water Department of Lot 18 in Assessor's Block 3571; and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Ward)

File 199-91-3, Ordinance No.

Supervisor Gonzalez presented as a recommendation of Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Report Received

Report by Chief of Police on the events of September 30, 1991, relative to a demonstration against Governor Wilson's veto of AB 101.

File 207-91-7

On motion by Supervisor Hsieh, seconded by Supervisor Shelley, the Chief of Police was requested to give a report to the Board of Supervisors on the events of September 30, 1991, relative to a demonstration against Governor Wilson's veto of AB 101.

Chief Willis Casey appeared and gave the Board of Supervisors an overview of the events on September 30, 1991.

Monday, October 7, 1991

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen;
Stanley Beliz;
Ace Washington;
Joan Marie Shelley;
Monty Varner.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference

Supervisor Migden requested that the following measure be severed from the For Adoption Without Committee Reference and considered separately.

Adopted as Amended

[Transactions and Use Tax]

Motion calling and providing for a special election to be held on December 10, 1991, for the purpose of submitting to the voters an ordinance ((adding Article 15 to Part III of the Municipal Code of the City and County of San Francisco)) of the San Francisco Educational Financing Authority providing for the imposition of a one quarter of one per cent Transactions and Use Tax and for other purposes and order of consolidation in the event it is necessary. (Supervisor Migden)

File 60-91-12

(September 30 1991 - Introduced in Board for consideration on October 7, 1991.)

Supervisor Migden, seconded by Supervisor Britt, moved an amendment of the whole titled: "Calling and providing for a special election to be held on December 10, 1991 for the purpose of submitting to the voters an ordinance of the San Francisco Educational Financing Authority providing for the imposition of a one quarter of one per cent Transactions and Use Tax and for other purposes and order of consolidation in the event it is necessary.

Monday, October 7, 1991

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Maher, Ward - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Hsieh, Maher, Ward - 4.

The Board thereupon resumed its consideration of the following item on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference

Adopted

[Childhood Lead Poisoning Prevention]

Resolution placing the San Francisco Board of Supervisors on record in support of the Childhood Lead Poisoning Prevention Act of 1991 (AB 2038, Connelly). (Supervisors Shelley, Migden, Alioto, Britt)

File 12-91-45, Resolution No. 884-91

(September 30 1991 - Introduced in Board for consideration on October 7, 1991.)

Adopted.

The foregoing item on the For Adoption Without Committee Reference Calendar was adopted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Maher, Ward - 2.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Monday, October 7, 1991

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-40, Resolution No. 875-91

(Mayor Art Agnos, October 2 - 4; Harry Britt, member, Board of Supervisors, October 7 - 21; Willie Kennedy, member, Board of Supervisors, November 15 - 20; Gretchen Belli, member, Film and Video Arts Commission, October 17 - 23; Mary Burns, General Manager, Recreation and Park, October 15 - 22; Richard Evans, Director, Department of Public Works October 8 - 9; Caryl Ito, member, Commission on the Status of Women, October 24 - November 3; Trent Orr, member, Recreation and Park Commission, November 30 - December 30, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted.

[Senate Bill 172 Veto]

Resolution condemning Governor Wilson's veto of Senate Bill 172.

File 12-91-47, Resolution No. 876-91

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Hotaling Alley, between Jackson and Washington Streets, on Friday, November 1, 1991 from 6:00 p.m. until Saturday, November 2, 1991 at 1:00 a.m.

File 42-91-58, Resolution No. 877-91

Supervisor Hallinan presented for immediate adoption.

Adopted.

[Street Closing]

Resolution amending Resolution No. 748-91 extending time of temporary closing of a portion of 29th Street, between Church and Sanchez Streets (1/2 block), from Tuesday, September 10, 1991 through October 23, 1991 from 10:00 a.m. to 5:00 p.m. daily.

File 42-91-59, Resolution No. 878-91

Monday, October 7, 1991

Supervisor Ward presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of 15th Avenue, between Lincoln Boulevard and Irving Street, on Sunday, November 3, 1991 from 2:00 p.m. to 6:00 p.m.

File 42-91-60, Resolution No. 879-91

Supervisor Ward presented for immediate adoption.

Adopted.

[Golden Gate International Youth Games]

Resolution supporting the Golden Gate International Youth Games Track and Field Meet to be held at Kezar Stadium on July 17-19 in 1992.

File 193-91-8 , Resolution No. 880-91

Supervisor Ward presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 6.

Absent: Supervisors Achtenberg, Britt, Hsieh, Maher, Ward - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Redistricting]

Resolution placing the City and County of San Francisco on record in support of the Reapportionment Plan approved by the Legislature for State Senate Districts 3 and 8 in the City and County of San Francisco. (Supervisors Shelley, Maher presented.) Referred to Economic and Social Policy Committee.

File 12-91-46

Monday, October 7, 1991

[Acceptance of Gift]

Resolution authorizing the San Francisco Department of Social Services to accept a gift in an amount not to exceed \$50,000 from the Federal National Mortgage Corporation (Freddie Mac) to provide for special needs of children in the care of the Family and Children's Division of the Department of Social Services. (Supervisor Ward presented.) Referred to Finance Committee.

File 38-91-19

[Central Coast Biosphere Reserve]

Resolution urging the Mayor to urge the San Francisco Water Department to sign the Memorandum of Understanding between members of the Central California Coast Biosphere Reserve (CCCCBR). (Supervisor Maher presented.) Referred to City Services Committee.

File 93-91-17

Referred to Board

[Residential Hotel Conversion]

Resolution confirming Report of Delinquent charges for insufficient filing of Annual Unit Usage Report and for failure to file Annual Unit Usage Report submitted by the Superintendent of the Bureau of Building Inspection, as modified to the date of adoption of this resolution and creating special assessments and liens based thereon. (Supervisor Kennedy presented.) Referred to Board for public hearing October 21, 1991, 3:00 p.m.

File 113-91-2

Referred to Committee

[Bond Approval]

Resolution authorizing the issuance, sale and delivery of City and County of San Francisco variable rate revenue bonds to finance an acoustical renovation program at Davies Symphony Hall by the San Francisco Symphony. (Supervisor Achtenberg presented.) Referred to Finance Committee with request it be considered at the October 23, 1991, meeting.

File 170-91-6

[Central Freeway]

Resolution urging Caltrans to tear down immediately both decks of the Central Freeway north of Fell Street; urging the Mayor to urge the appropriate City Departments and Caltrans to schedule dates for public meetings; urging Caltrans to negotiate on the disposition of available land; holding public hearings. (Supervisors Maher, Alioto presented.) Referred to Economic and Social Policy Committee.

File 171-91-17

Monday, October 7, 1991

[Approval of Hold Harmless Agreement]

Resolution authorizing the Port of San Francisco to agree to hold the State of California harmless from all claims arising from State Lands Commission processing of a dredging permit. (Supervisor Gonzalez presented.) Referred to Board October 15, 1991 for Adoption Without Committee Reference Calendar.

File 173-91-7

[Golden Gate Park - 3 Hour Parking]

Resolution urging the Mayor to Urge the Recreation and Park Commission to establish three hour parking between the hours of 8:00 a.m. and 5:00 p.m. in Golden Gate Park. (Supervisor Maher presented.) Referred to City Services Committee.

File 193-91-7

[Black Male Awareness Program]

Resolution amending the resolution which urged the Mayor to support an established Black Male Awareness Program, by further providing that the final outcome of the program is to establish an all Black male school. (Supervisors Kennedy, Migden presented.) Referred to Economic and Social Policy Committee.

File 247-91-1.1

Requests for Hearings:

File 171-91-18, By Supervisor Alioto: To consider the report of the Port Commission, Police Commission and ISCOTT summarizing their findings and recommendations to provide for designated pick-up and drop-off sites for pedicabs. Referred to City Services Committee with request it be calendared for the November 19, 1991, meeting.

File 42-91-61, By Supervisor Britt: To consider and review the processing of applications for street closing permits, and modifications thereto, by the Department of Parking and Traffic, and to consider improvements to the process in light of recent problems. Referred to Economic and Social Policy Committee.

Introduced by the President at the Request of Departments

Ordinance Referred to Committee

File 45-91-57. [Settlement of Lawsuit] Authorizing settlement of litigation of Maria Olivia Castro against the City and County by payment of \$22,000. (City Attorney) Administration and Oversight.

File 65-91-3.1. [Lease Amendment] Approving Amendment No. 1. to agreement to furnish scoreboard and other related services (Sony Scoreboard Agreement - Candlestick Park). (Recreation and Park Department) Finance.

Monday, October 7, 1991

File 97-91-53. [Public Health Contracts] Amending Administrative Code by adding Section 19A.26 to permit the Department of Public Health to enter into agreements with the Westside Community Mental Health Center enabling the Department of Public Health to provide medical services. (Department of Public Health) Finance.

File 101-91-2.2. [Government Funding] Amending Annual Appropriation Ordinance 1991-92, File 101-91-2, Ordinance No. 303-91 by amending the Administrative provisions thereof, by adding Section 4.7 thereto providing for the collection and distribution of rents from private tenants to the Director of Property. (Chief Administrative Officer) Finance.

File 101-91-18. [Government Funding] Appropriating \$1,573,103, Retirement System, for temporary salaries and overtime, mandatory fringe benefits, other contractual services, postage, materials and supplies and non-work order services of other departments-City Attorney, placing \$1,284,010 on reserve. RO #91077. (Controller) Finance.

File 101-91-19. [Government Funding] Appropriating \$99,259, Superior Court, for permanent salaries, mandatory fringe benefits and fees and other compensation, for the creation of one position; companion measure to File 102-91-7. RO #91086. (Controller) Finance.

File 102-91-7. [Public Employment] Amending Annual Salary Ordinance, 1991-92, Superior Court, reflecting the addition of one position (Classification 0589 Court Assistant), companion measure to File 101-91-19. (Civil Service Commission) Finance.

File 102-91-8. [Public Employment] Amending Annual Salary Ordinance, 1991-92, Department of City Planning, reflecting the addition of one position (Classification 1842 Management Assistant and the deletion one position Classification 1840 Junior Management Assistant). (Civil Service Commission) Finance.

Resolutions Referred to Committee

File 7-91-12. [Public Transportation] Approving the partial discontinuance of service of Municipal Railway Line 33-Stanyan; companion measure to File 7-91-12.1. (Public Utilities Commission) Scheduled for Public Hearing before Board on October 21, 1991 at 3:00 p.m.

File 7-91-12.1. [Public Transportation] Disapproving the partial discontinuance of service of Municipal Railway Line 33-Stanyan; companion measure to File 7-91-12. (Public Utilities Commission) Scheduled for Public Hearing before Board on October 21, 1991 at 3:00 p.m.

File 28-91-11. [Airport Administration] Approving a declaration of emergency, reinstallation of sectionalizing boxes A243 A & B - San Francisco International Airports - \$100,000. (Airports Commission) Finance.

Monday, October 7, 1991

File 61-91-2. [Contract Award Extension] Approving an extension of time of eighty days to award Municipal Railway Contract No. MR-1026, Presidio Trolley Coach & General Office Facility, Rehabilitate HV System of the General Administrative Office. (Public Utilities Commission) Finance.

File 146-91-71. [Grant - State Funds] Authorizing the Department of Public Health, Community Substance Abuse Services to accept and expend a grant up to the amount of \$2,231,619 from the State of California, Department of Alcohol and Drug Programs for substance abuse treatment and linkage services to the homeless. (Department of Public Health) Finance.

File 147-91-4.1. [Grant - Federal Funds] Authorizing the City Librarian to accept and expend funds not to exceed \$70,000 available from the Library Services and Construction Act for 1991/92, for the Partnership for Change Program; companion to File 147-91-4. (Public Library) Finance.

File 200-91-5. [Appointment of Members] Approving appointment of members of the Seismic Investigation and Hazard Survey Advisory Committee by the Director of Public Works with the approval of the Chief Administrative Officer. (Department of Public Works) Administration and Oversight.

File 249-91-1. [Fee Schedule] Revising the fee schedule of the Department of Weights and Measures by ratifying the State schedule of fees, dated September 24, 1991. (Department of Agriculture and Weights and Measures) Finance.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Shelley, that the City Attorney render an opinion as to whether the following two additional conditional uses can be amended to the Conditional Use Permit for 259 Frederick Street (Board File No. 37-91-6) as specified in Planning Code, Section 303(d):

- 1) Owner of property must seek one or more variances and building permits and if the permits and variances are granted, the repair garage use will discontinue.
- 2) The repair garage may continue to operate if the variances or building permits for an alternative residential use are not granted.

Both conditions relate to the garage use and do not prohibit the Zoning Administrator, Planning Commission, Central Permit Bureau or Board of Permit Appeals from denying the variances or building permits.

By Supervisor Shelley, that a letter be sent to the Director of the Department of Public Works and the Director of the Department of Public Health inquiring if it is possible for the Department of

Monday, October 7, 1991

Public Works to provide technical assistance to HUD in preventing future raw sewage spills from the HUD Glenridge Housing Development and if the Department of Public Health can report back to the Board on the safety of the tenants and neighbors in the area where the raw sewage is leaking.

By Supervisor Alioto, that the City Attorney prepare a report comparing the number of citations issued for City code violations in Section 8 Housing and the number of resultant prosecutions of such violations and respectfully request that a response to this letter of inquiry by the City Attorney's Office be sent to members of the Board of Supervisors.

By Supervisor Alioto, that a letter be sent to the Director of the Parking and Traffic Department inquiring into the possibility of installing a special pedestrian signal for the intersections of Third and Fourth Streets and Folsom and Howard Streets because of the number of complaints received from seniors and disabled citizens who have difficulty crossing those busy intersections.

By Supervisor Gonzalez, that a letter be sent to the Director of the Public Utilities Commission inquiring whether the Commission can respond to a citizen petition forwarding complaints for the need of increased lighting on Julian Avenue between 14th and 16th Street to deter crime in the area.

By Supervisor Gonzalez, that a letter be sent to the Chief of Police, and the General Manager of the Municipal Railway inquiring whether the Department can respond to suggestion whether it would be possible for plain-clothed officers to travel on the Muni system after nightfall to discourage crime on MUNI and to comment on recruiting the Guardian Angels to ride the Muni system after dark to dissuade crime on Muni.

By Supervisor Gonzalez, that letter be sent to the General Manager, Municipal Railway, inquiring whether the Department can investigate complaint regarding the proposed change in the Broadway bus route.

By Supervisor Kennedy, that letter be sent to the Director of the Department of Parking and Traffic inquiring whether the Department can provide an update on the lease of Rapid Shine at the Golden Gate Garage and also, if possible, the terms of the contract.

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Edward Britton (Supervisor Kennedy)
Eleanor Pred (Supervisor Achtenberg)
Peter T. Babcock (Supervisor Achtenberg)
Ellen Killian (Supervisor Shelley)
Frank Reilly (Supervisor Shelley)

File 2-91-40

Unanimously adopted by a rising vote.

Monday, October 7, 1991

ADJOURNMENT

There being no further business, the Board at the hour of 5:12 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, October 7, 1991

Approved by the Board of Supervisors on June 22, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

15/91

Vol. 86

No. 41

Tuesday, October 15, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, October 15, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:12 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Migden, Shelley, Ward - 7.

Noted absent at first roll call:

Supervisors Alioto, Britt, Kennedy, Maher - 4.

Quorum present.

Supervisor Alioto was noted present at 2:13 p.m.

Supervisor Britt excused, on official leave of absence.

Supervisor Kennedy was noted present at 2:13 p.m.

Supervisor Maher was noted present at 2:16 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Hsieh, seconded by Supervisor Hallinan, moved that the Journal of Proceedings for Monday, January 28, 1991, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Tuesday, October 15, 1991

Introduction of Guest

Supervisor Ward stated that she had a guest to present to the Board and asked Supervisor Hallinan to present Mr. Antoino Guerrero.

Supervisor Hallinan, seconded by Supervisor Achtenberg, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Mr. Antoino Guerrero.

Motion carried by the following vote: -

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward -10.

Absent: Supervisor Britt - 1.

Mr. Guerrero then spoke on the status of the peace negotiation process in his country of El Salvador.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Sale of Subsurface Easement]

Ordinance authorizing sale of a 15 foot wide subsurface easement over Bay Division Pipeline Nos. 3 and 4 Right of Way located in Milpitas, Santa Clara County, California, to the City of Milpitas for sewer line purposes. (Real Estate Department)

File 82-91-3, Ordinance No. 372-91

Finally passed.

[Exchange of Real Property]

Ordinance authorizing transfer from the San Francisco Water Department to the San Francisco Community College District of a portion of Lot 1 in Assessor's Block 3180 in exchange for the transfer from the Community College District to the Water Department of Lot 18 in Assessor's Block 3571; and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Ward)

File 199-91-3, Ordinance No. 371-91

Finally passed.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$1,236,019 for various purposes (purchase of building at 25 Van Ness Avenue), Real Estate, for Fiscal Year 1991-92. (Supervisor Gonzalez)

Tuesday, October 15, 1991

File 101-91-17, Ordinance No.

Passed for second reading.

Adopted

[Contract]

Resolution concurring with Controller's certification that Coordinator and Mentor Services for Independent Living Skills Project can be practically performed at Department of Social Services by private contractor for lower cost than similar work services performed by City and County employees. (Department of Social Services)

File 25-91-28, Resolution No. 896-91

Adopted.

[Contract]

Resolution concurring with Controller's certification that Vocational and Educational Counseling Services for the Independent Living Skills Project can be practically performed at Department of Social Services by private contractor for lower cost than similar work services performed by City and County employees. (Department of Social Services)

File 25-91-29, Resolution No. 897-91

Adopted.

[Lease Extension]

Resolution authorizing extension of an existing lease of real property at 1155 Market Street for use by the Public Utilities Commission for office space for the Utilities Engineering Bureau and Hetch Hetchy Water and Power. (Real Estate Department)

File 64-91-27, Resolution No. 901-91

Adopted.

[Grant - State Funds]

Resolution authorizing Department of Public Health, Bureau of Epidemiology and Disease Control to accept and expend augmentation to grant of \$20,625, which excludes indirect costs since these costs are not allowed by the funder, from State Department of Health Services for immunization services, and to authorize the expenditure of grant funds to establish and finance civil service positions for the provision of services. (Department of Public Health)

Tuesday, October 15, 1991

File 146-91-25.1, Resolution No. 889-91

Adopted.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Dorothy H. Tomlinson and Alfred T. Tomlinson against the City and County by payment of \$90,000. (City Attorney)

File 45-91-54, Ordinance No.

(Superior Court No. 918-326.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of attorneys' fees incurred in connection with racial harassment claims under Consent Decree against the San Francisco Fire Department, USA v. City and County of San Francisco, Fontaine Davis v. City and County of San Francisco by payment of \$268,891.25. (City Attorney)

File 45-91-55, Ordinance No.

(U.S. District Court Nos. C84-1100 MHP and C84-7089 MHP)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Harry Andrews, et al., against the City and County by payment of \$20,000. (City Attorney)

File 45-91-56, Ordinance No.

(Superior Court No. 810-911)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Maria Estrada and Roger Estrada against the City and County by payment of \$15,000. (City Attorney)

File 45-91-57, Ordinance No.

Tuesday, October 15, 1991

(Superior Court No. 908-520.)

Passed for second reading.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Economic and Social Policy Committee

Adopted as Amended

[Doyle Drive Task Force]

Resolution creating a Doyle Drive Task Force of 17 members to be appointed by the Board of Supervisors, which shall present to the Board by ((May 1,)) October 15, 1992 a written report containing findings regarding the current traffic conditions on Doyle Drive, an analysis of changes in conditions that are expected and recommendations to improve the safety of the conditions on Doyle Drive; the Task force shall terminate after ((May 31)) October 15, 1992. (Supervisors Migden, Kennedy, Alioto)

File 55-91-2.1, Resolution No.

Supervisor Kennedy, seconded by Supervisor Maher, moved to amend the title, line 4; Page 2, line 14, by replacing "May 1, 1992" with "October 15, 1992 and title line 8 and Page 4, line 7, replacing "May 31, 1992" with "October 15, 1992.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Tuesday, October 15, 1991

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance amending Annual Appropriation Ordinance, 1991-92, File 101-91-2, Ordinance No. 303-91 by amending the administrative provisions thereof by adding Section 4.7 thereto providing for the collection and distribution of rents from private tenants to the Director of Property. (Chief Administrative Officer)

File 101-91-2.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Government Funding]

Ordinance appropriating \$1,073,450, Department Public Health-Central Office, San Francisco General Hospital and Community Mental Health Services, for permanent salaries-miscellaneous, temporary salaries, nurses, related mandatory fringe benefits and medical service contract, for the creation of eighteen positions; subject of previous budgetary denial, for fiscal year 1991-92; companion measure to File 102-91-6. (Controller)

File 101-91-15, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1991-92, Department of Public Health, reflecting the addition of eighteen positions (five positions Community Public Health Services, five positions Mental Health, Substance Abuse, and Forensics and eight positions San Francisco General Hospital); companion measure to File 101-91-15. (Civil Service Commission)

File 102-91-6, Ordinance No.

Passed for second reading by the following vote:

Tuesday, October 15, 1991

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Filing and License Fees for Police Permits]

Ordinance amending Police Code, relating to filing fees and deleting filing and license fees for motor vehicles for hire. (Police Commission)

File 121-91-8, Ordinance No.

(Amends Sections 2.26 and 2.27.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

(Supervisor Gonzalez dissenting in Committee.)

[Filing & License Fees for Police Permits]

Ordinance amending Police Code, relating to filing fees and to license fees, establishing separate fee schedules for motor vehicles for hire. (Police Commission)

File 121-91-9, Ordinance No.

(Adds Sections 2.26.1 and 2.27.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Gonzalez - 1.

Absent: Supervisor Britt - 1.

Adopted

[Federal Grant - Substance Abuse Prevention]

Resolution amending Resolution No. 116-91, authorizing Mayor to apply for, accept and expend funds in the amount of \$721,186 through the Office for Substance Abuse Prevention for the Community Partnership Program, by authorizing the Mayor to accept and expend additional funds in the amount of \$700,000, with \$600,000 designated for the Japanese Community Youth Council, and \$100,000 designated for the Mayor's Community Partnership Project. (Supervisor Shelley)

File 68-90-16.2, Resolution No. 931-91

Tuesday, October 15, 1991

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Airport Administration]

Resolution approving Controller's certification that Airport Information Booth Program for San Francisco International Airport can practically be performed by private contractor at a lower cost for this program than if work were performed by City and County employees. (Airports Commission)

File 25-91-30, Resolution No. 898-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Acquisition of Real Property]

Resolution authorizing the City and County of San Francisco to acquire, on behalf of the Police Department, the real property located in Assessor's Block 3577 and identified as Lots 1, 1A, 4, 5, 60, 64 and a portion of 65, and to adopt findings pursuant to Planning Code Section 101.1. (Real Estate Department)

File 84-91-2, Resolution No. 902-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Grant - Private Funds]

Resolution authorizing Department of Public Health, AIDS Office, to accept and expend a continuing grant allocation of \$32,363, which includes indirect costs in the amount of \$2,169 based on twelve percent of personnel costs, from the University of California, San Francisco, to fund a portion of the Stress and Coping Among AIDS Caregivers Project, and to authorize the expenditure of grant funds to continue financing civil service positions for the provision of these services; companion measure to File 146-91-5. (Department of Public Health)

File 146-91-5.1, Resolution No. 916-91

Tuesday, October 15, 1991

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Grant - State Funds]

Resolution authorizing Department of Health, Community Public Health Services, Bureau Family Health, to accept and expend a grant augmentation of \$61,795, that includes indirect costs in the amount of \$595, based on one percent of personnel costs from Department of Health Services, Office of Family Planning for family planning services, and to authorize the expenditure of grant funds to continue financing civil service positions for provision of services. (Department of Public Health)

File 146-91-35.1, Resolution No. 917-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Grant - Federal Funds]

Resolution authorizing Department of Public Health, Community Public Health Programs, to accept and expend a grant of \$597,146, which includes indirect costs in the amount of \$28,452, based on twenty percent of personnel costs from Health and Human Services, Health Resources and Services Administration, for linked primary care medical and substance abuse treatment services, and to authorize expenditure of grant funds to continue financing civil service positions for the provision of services; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-54.1, Resolution No. 890-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Grant - Federal Funds]

Resolution authorizing Department of Public Health, AIDS Office, to accept and expend a supplemental grant of \$152,000, which includes \$15,206 in indirect costs based on twenty percent of personnel

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costs, from the Department of Health and Human Services, Center for Disease Control, to augment the AIDS Surveillance Project, and to authorize the expenditure of these supplemental grant funds to establish and finance civil service positions for provision of services, for residents of San Francisco. (Department of Public Health)

File 146-91-69, Resolution No. 918-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

Adopted

[Earthquake Funds]

Motion directing Budget Analyst to prepare a complete comprehensive audit of all expenditures made relating to the Loma Prieta Earthquake of 1989 from all funding sources, including private donations, federal funds, state funds, City and County funds. (Supervisor Alioto)

File 270-91-5

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Gonzalez, Ward - 3.

Recommendation of City Services and Finance Committees

Passed for Second Reading

[Warning Signs - Condoms]

Ordinance amending Health Code, providing for point of retail sale condom warning signs. (Supervisors Migden, Alioto, Britt, Achtenberg)

File 118-91-6, Ordinance No.

(Adds Section 267.)

(Fiscal Impact.)

Tuesday, October 15, 1991

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

Recommendations of Administration and Oversight Committee

Adopted

[Appointment]

Resolution appointing member to the Adult Day Health Care Planning Council, for the three year term ending September 30, 1993.
(Administration and Oversight Committee)

File 92-90-25, Resolution No. 906-91

(Sato Hashizume, RN, age group, vice William H. Pryor, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Hsieh, Ward - 3.

[Meeting Schedule]

Resolution revising the regular meeting schedule of the Board of Supervisors by cancelling the meetings of December 2, and December 30, 1991. (Clerk of the Board)

File 54-91-1, Resolution No. 899-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Hsieh, Ward - 3.

[Appointment]

Resolution appointing member to the Emergency Medical Care Committee for the unexpired portion of the three-year term ending June 30, 1992. (Administration and Oversight Committee)

File 92-91-14.4, Resolution No. 903-91

(Gayle Orr-Smith, Emergency Services, vice Thomas Jenkins, resigned.)

Adopted by the following vote:

Tuesday, October 15, 1991

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

[Appointment]

Resolution appointing member to the Emergency Medical Care Committee for the unexpired portion of the three-year term ending June 30, 1992. (Administration and Oversight Committee)

File 92-91-14.5, Resolution No. 904-91

(Marc A. Synder, MD, Emergency Physician, vice Michael Shafer, resigned.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

[Appointment]

Resolution appointing member to the National Guard Advisory Committee, for the four-year term ending June 30, 1995. (Administration and Oversight Committee)

File 92-91-19, Resolution No. 905-91

(Major Joseph Tom, public at large, vice William Urmy, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

[Appointment]

Resolution appointing member to the Hazardous Materials Advisory Committee, for four-year term ending July 1, 1995; making findings waiving residency requirement. (Administration and Oversight Committee)

File 92-91-26, Resolution No. 907-91

(Captain Gerald Grey, Fire Department, vice himself, term expired.)

Adopted by the following vote:

Tuesday, October 15, 1991

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

[Appointment]

Resolution appointing member to the Park and Open Space Advisory Committee, for the two-year term ending July 15, 1993.
(Administration and Oversight Committee)

File 92-91-27.3, Resolution No. 908-91

(Francis J. Baron, vice Bonnie Fisher, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

[Appointments]

Resolution appointing members to the Adult Day Health Care Planning Council, terms expired, for three year terms ending September 30, 1994. (Administration and Oversight Committee)

File 92-91-30.1, Resolution No. 909-91

(Bob Cowan, Social Services, vice himself;
Luz Cancino, age group, vice herself;
William Bruckner, functionally impaired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

[Appointments]

Resolution appointing members to the Drug Abuse Advisory Board, terms expired, for three-year terms ending October 1, 1994.
(Administration and Oversight Committee)

File 92-91-32, Resolution No. 910-91

(Wendy Goldberg, public, vice herself;
Jeanie A. Munich, public, vice herself;
Stefano Hillman, public, vice himself;
Robert Podesta, law enforcement, vice himself;
Tony Leone, public, vice Bernard Pechter.)

Tuesday, October 15, 1991

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

[Appointment]

Resolution appointing member to the Board of Directors, County Supervisors Association of California for the one-year term ending at the 1992 annual meeting of the Association. (Administration and Oversight Committee).

File 92-91-33, Resolution No. 911-91

(Supervisor Willie B. Kennedy.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

[Memorandum of Understanding]

Resolution ratifying Memorandum of Understanding with Building Material and Construction Teamsters Local 216 for fiscal years 1990-1993. (Employee Relations Division)

File 93-91-12, Resolution No. 446-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

[Memorandum of Understanding]

Resolution ratifying Memorandum of Understanding with Transport Workers Union of America, AFL-CIO and Supervisory Employees Association Muni Transport Workers Union, Local 200 for fiscal years 1991-1995. (Supervisor Kennedy)

File 93-91-14, Resolution No. 913-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

Tuesday, October 15, 1991

[Memorandum of Understanding]

Resolution ratifying Memorandum of Understanding with Transport Workers Union of America, AFL-CIO and Supervisory Employees Association Muni Transport Workers Union, Local 200 for Claims Classifications for fiscal years 1991-1995. (Supervisor Kennedy)

File 93-91-15, Resolution No. 914-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

[Memorandum of Understanding]

Resolution ratifying Memorandum of Understanding with Transport Workers Union of America, AFL-CIO and Transport Workers Union, Local 250-A for Units 8-AA, 8-BB, 8-FF, 11-Z and 11-CC for fiscal years 1991-1995. (Supervisor Kennedy)

File 93-91-16, Resolution No. 915-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

[Grand Jury Recommendations]

Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1990-91 Civil Grand Jury to the Presiding Judge of the Superior Court who impaneled that Civil Grand Jury. (Administration and Oversight Committee)

File 39-91-1

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

Recommendation of Economic and Social Policy Committee

Adopted

[26th Street - Dedicated Street Vacation, Public Use]

Resolution rescinding Resolution No. 823-90, which requested the Chief Administrative Officer and the Director of Public Works to

Tuesday, October 15, 1991

consider rededicating Twenty-Sixth Street between Harrison Street and Treat Avenue as a public street, and reconfirming the desire of the Board to have this portion of 26th Street remain vacated` (Department of Public Works)

File 35-91-1.1, Resolution No. 930-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Approval of Hold Harmless Agreement]
Resolution authorizing the Port of San Francisco to agree to hold the State of California Harmless from all claims arising from State Lands Commission processing of a dredging permit. (Supervisor Gonzalez)

File 173-91-7, Resolution No. 888-91

(October 7, 1991 - Introduced in Board for consideration on October 15, 1991.)

Adopted.

The foregoing item on the For Adoption Without Committee Reference Calendar was adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden - 7.

Absent: Supervisors Alioto, Britt, Shelley, Ward - 4.

Tuesday, October 15, 1991

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meetings. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-41, Resolution No. 891-91

(Tom Hsieh, member, Board of Supervisors, October 16 - 19; Raymond Baxter, Director of Health, October 14 - 16 and November 7 - 8; Cleo Donovan, member, Civil Service Commission, October 13 - 16 and November 7 - 8; Michael Huerta, Port Director, October 12 - 18; J. Stanly Mattison, member, Airport Commission, October 11 - 14; Sonia Melara, member, Parking and Traffic Commission, November 4 - 20; Sharon Owsley, member, Film and Video Arts Commission, October 16 - 19; Juan Rios, member, Civil Service Commission, October 2 - 16; Randall Smith, Executive Director, Health Service System, November 7 - 11, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Buy San Francisco Week]

Resolution urging the Mayor to designate the week of October 21, 1991, as "Buy San Francisco Week."

File 4-91-25, Resolution No. 894-91

Supervisor Ward presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Scott Street, between Turk and Eddy Streets, on Tuesday, October 29, 1991 at 5:00 p.m. through Wednesday, October 30, 1991 at 5:00 p.m. for the Grand Opening of the "Robert B. Pitts Plaza", sponsored by the San Francisco Housing Authority.

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File 42-91-62, Resolution No. 892-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of 18th Street, between Treat and Folsom Streets, on Friday, October 18, 1991 at 3:30 p.m. to 7:00 p.m. for Ribbon Cutting and Grand Opening of Center for Positive Care.

File 42-91-63, Resolution No. 893-91

Supervisor Britt presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Pierce Street, between Ellis and O'Farrell Streets, on Saturday, November 2, 1991 at 10:00 a.m. to 6:00 p.m. for "Health Fair" sponsored by UCSF AIDS Health Project, District Health Center Number 2.

File 42-91-64, Resolution No. 895-91

Supervisor Achtenberg presented for immediate adoption.

Adopted.

Motion requesting that Ms. Sharon Johnson, Executive Director of the Commission on the Status of Women be invited to the October 21, 1991, meeting of the Board of Supervisors to report on sexual harassment in San Francisco.

File 264-91-1

Supervisor Achtenberg presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Alioto, Britt, Ward - 3.

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OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Business/Payroll Expense Tax Exemptions]

Ordinance amending Article 12-A of Part III of San Francisco Municipal Code (Payroll Expense Tax Ordinance) by amending Section 906 thereof to exempt from tax any tenant of the Port of San Francisco whose principal Business is ship repair and whose workforce consists of at least thirty percent San Francisco residents, and to also exempt any subcontractor of any such exempt ship repair business which derives at least seventy percent of its revenues from the ship repair industry; and amending Article 12-B of Part III of the San Francisco Municipal Code (Business Tax Ordinance) by adding Section 1005.5 thereto to exempt from tax any tenant of the Port of San Francisco whose principal business is ship repair and whose workforce consists of at least thirty percent San Francisco residents, and to also exempt any subcontractor of any such exempt ship repair business which derives at least seventy percent of its revenues from the ship repair industry; operative date. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 127-91-13

[Emergency Services]

Resolution authorizing the Director, Mayor's Public Safety Office and Emergency Services, and the Deputy Director, Mayor's Public Safety Office, to execute certain documents relating to financial assistance under Federal Civil Defense Act of 1950, as amended, and rescinding Resolution No. 568-90. (Supervisor Shelley presented.) Referred to Finance Committee with request it be considered at the October 23, 1991, meeting.

File 68-91-5

[Contract-In-Home Supportive Services]

Resolution finding that the General Manager of the Department of Social Services of the City and County of San Francisco has complied with the requirements of the Administrative Code and the Charter of the City and County of San Francisco and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services contract. (Supervisor Shelley presented.) Referred to Finance Committee with request it be considered at the October 23, 1991, meeting.

File 172-91-17

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Referred to Board

[Embarcadero Roadway Traffic Improvements]
Resolution declaring it the policy of the City and County to restore traffic flow in the northern waterfront; supporting immediate repaving of the Embarcadero Roadway; urging the Mayor to urge the Department of Public Works to develop an Embarcadero Plan with four lanes of traffic in either direction south of Broadway. (Supervisor Maher presented.) Referred to Board October 21, 1991, For Adoption Without Committee Reference Calendar.

File 272-91-5

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-91-59. [Settlement of Lawsuit] Authorizing settlement of litigation of Jon Lentz against the City and County of San Francisco by payment of \$25,000. (City Attorney). Administration & Oversight.

File 45-91-60. [Settlement of Lawsuit] Authorizing settlement of litigation of Dorsey Redland against the City and County of San Francisco by payment of \$25,000. (City Attorney). Administration & Oversight.

File 48-91-8. [Settlement of Attorney's Fees Claim] Authorizing settlement of attorney's fees claim against the City and County of San Francisco by payment of \$198,000. (City Attorney). Administration & Oversight.

File 124-91-8. [Parking Control] Amending Traffic Code by amending Section 32.6.7 to include the portion of 24th Avenue specified in former Section 32.6.9 plus portions of Jones Street and McAllister Street and to repeal Section 32.6.9. (Department of Parking and Traffic). Economic & Social Policy.

Resolutions Referred to Committee

File 10-91-6. [Permit] Granting revocable permission to 235 Pine Associates to occupy a portion of the street area at Commercial Street between Montgomery and Sansome Streets with curb bulbs, benches, bollards and other related improvements; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works). City Services.

File 25-91-31. [Contract] Concurring with the Controller's certification that security services for Residential Permit Parking Program at 370 Grove Street and the Parking Lot at Seventh and Harrison Streets can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Department of Parking and Traffic). Finance.

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File 30-91-20. [San Francisco County Adult Day Health Plan] Authorizing approval of amendments to the San Francisco County Adult Day Health Plan. (Department of Public Health). Administration & Oversight.

File 47-91-11.1. [Award of Lease] Accepting bid of City Parking Company in response to call for bids for lease of Polk-McAllister Parking Lot and awarding said lease to said bidder as the highest and best responsible bidder. (Real Estate Department). Finance.

File 64-91-31. [Lease of Property] Authorizing extension of an existing lease of real property at 1625 Van Ness Avenue for the Department of Social Services, Child Welfare Division. (Real Estate Department). Finance.

File 106-91-5. [Salary and Wage Division] Authorizing Civil Service Commission to expend funds to conduct the 1992-93 Salary Survey. (Civil Service Commission). Administration & Oversight.

File 170-91-7. [Bond Approval] Resolution of the Board of Supervisors of the City and County of San Francisco relating to the financing of a project at the facilities of Irwin Memorial Blood Centers. (Mayor's Office of Business and Economic Development). Finance.

Requests for Hearings

File 101-90-46.1, By Supervisor Gonzalez: To consider request of release of reserved funds, Port, in the amount of \$340,300, previously reserved under Ordinance No. 87-91, for earthquake repair work at Pier 45. Referred to Finance Committee with request it be considered it be considered at the October 16, 1991, meeting.

File 7-91-13, By Supervisor Gonzalez: To consider reviewing the policies and procedures implemented at Municipal Railway regarding employee overtime pay. Referred to Finance Committee.

File 7-91-14, By Supervisor Gonzalez: To consider reviewing and discussing the Municipal Railway's efforts to provide clean and attractive vehicles for MUNI riders. Referred to City Services Committee.

File 13-91-27, By Supervisor Alioto: To consider legislation condemning the U.S. Senate on the confirmation of Judge Clarence Thomas. Referred to Economic and Social Policy Committee.

File 32-91-2, By Supervisor Shelley: To consider cable television rates; when will cable television be available to all San Francisco, specifically housing projects; and will Viacom consider "lifeline" rates for fixed income residents similar to PG&E's and Pacific Bell's lifeline rates. Referred to Finance Committee with request it be considered at the October 30, 1991, meeting.

File 97-91-54, By Supervisor Kennedy: To consider the Patel Hotel, particularly the Lyric Hotel located at 140 Jones Street, charging visitors of the residents of the hotel to pay \$5 during the day and \$10 at night when visiting and if the resident is behind in his or

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her rent, they may not have visitors. Referred to Economic and Social Policy Committee.

File 118-91-9, By Supervisors Hsieh, Alioto: To consider an ordinance which would impose a \$5.00 Lead Abatement Fee on owners of residential dwellings built before 1978 (the year lead paint was outlawed), to be imposed on an annual basis over a three (3) year period. Referred to Economic and Social Policy Committee.

File 127-91-14, By Supervisor Gonzalez: To consider legislation that would impose a business tax or fee imposing a \$1,000 tax or fee upon grocery and liquor stores selling fortified wines or malt alcoholic beverages. Referred to Economic and Social Policy Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Gonzalez, that the City Attorney prepare legislation that would impose a business tax or fee imposing a \$1,000 tax or fee upon grocery and liquor stores selling fortified wines or malt alcoholic beverages.

By Supervisors Hsieh and Alioto, that the City Attorney prepare legislation that would impose a \$5.00 Lead Abatement Fee on owners of residential dwellings built before 1978 (the year lead paint was outlawed), to be imposed on an annual basis over a three (3) year period.

By Supervisor Kennedy, that the City Attorney be requested to render an interpretation of the business and professions code as it relates to Veterans being exempt from paying license fees, especially as it relates to street artists.

By Supervisor Kennedy, that a letter be sent to Ms. Rina Cutler, Executive Director, Parking and Traffic Commission inquiring into the breakdown on the Parking Facility Interview Panel. (See attached chart.)

By Supervisor Kennedy, that a letter be sent to the Honorable Mayor inquiring about the possibility of establishing a Customer Satisfaction Incentive Program as outlined in the attached information from the City of Chandler.

By Supervisor Kennedy, that a letter be sent to Chief Willis Casey, San Francisco Police Department, inquiring into the feasibility of increasing the police foot patrol on 26th and Treat Streets since the Supervisor has received complaints regarding the lack of police protection in this area.

By Supervisor Kennedy, that the City Attorney be requested to prepare legislation which would prohibit hotels from charging visitors of the residents of the hotel to pay a fee during the day and at night when visiting and if the resident is behind in his or her rent, they may not have visitors.

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By Supervisor Migden, that the City Attorney be requested to provide an opinion that if the Bureau of Building Inspection make a determination, based on a report issued by a private consultant hired by the City, that the building is seismically safe to occupy, and the building subsequently collapses in some way, is the City potentially liable?

By Supervisor Migden, that a letter be sent to Chief Willis Casey, San Francisco Police Department inquiring about the process by which permits are issued for taxi and limousine services. Are limousines required to get special permits to pick up passengers in front of hotel?

By Supervisor Migden, that a letter be sent to the Officer In Charge, San Francisco Police Department, Noise Abatement inquiring into the procedures for handling "barking dog" complaints, and if there are no procedures in place, what appropriate legislative action should be taken to handle complaints expeditiously and efficiently.

Motions

Referred to Board

File 165-91-9, [Personal Service Contracts] Motion directing the Budget Analyst to conduct an analysis of planning, design and environmental review personal services contracts for fiscal year 1990-1991 to determine whether these contracts can be more effectively and efficiently provided by in-house staff. (Supervisor Hallinan presented.) Referred to Board October 21, 1991, for Adoption Without Committee Reference Calendar.

Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Morris Bernstein (By the Entire Board)
Ron Ridgle (Supervisor Ward)
Cecil McGriff (Supervisor Kennedy)
Bill Killcullen (Supervisor Britt)
Hayden Curry (Supervisors Migden, Achtenberg)
John Ambler Sadler (Supervisor Shelley)

File 2-91-41

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:18 p.m. adjourned.

Tuesday, October 15, 1991

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 27, 1992.

"

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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10/21/91

Vol. 86

No. 42

Monday, October 21, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, October 21, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:15 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Noted absent at first roll call:

Supervisors Britt, Gonzalez, Shelley - 3.

Quorum present.

Supervisor Britt excused, on official leave of absence.

Supervisor Gonzalez was noted present at 2:16 p.m.

Supervisor Shelley was noted present at 2:16 p.m.

Introduction of Mayor and Staff

Report Received

Report from Mayor Art Agnos on the East Bay fire and San Francisco's response.

File 251-92-1

Mayor Art Agnos; Deputy Chief John Boscacci; Fire Department, and Gail Orr-Smith, Director of Emergency Services give a report to the Board of Supervisors on the help San Francisco provided during the Oakland and Berkeley Hills fire.

APPROVAL OF JOURNAL

Monday, October 21, 1991

There being no errors, corrections or omissions, Supervisor Kennedy seconded by Supervisor Hallinan moved that the Journal of Proceedings for Monday, February 4, 1991, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance amending Annual Appropriation Ordinance, 1991-92, File 101-91-2, Ordinance No. 303-91 by amending the administrative provisions thereof by adding Section 4.7 thereto providing for the collection and distribution of rents from private tenants to the Director of Property. (Chief Administrative Officer)

File 101-91-2.2, Ordinance No. 377-91

Finally passed.

[Government Funding]

Ordinance appropriating \$1,236,019 for various purposes (purchase of building at 25 Van Ness Avenue), Real Estate, for Fiscal Year 1991-92. (Supervisor Gonzalez)

File 101-91-17, Ordinance No. 379-91

Finally passed.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$25,000, Retirement System, for overtime, rescinding \$25,000 from permanent salaries and mandatory fringe benefit. (Controller)

File 101-91-16, Ordinance No.

Passed for second reading.

Recommendations of Administration and Oversight Committee

Monday, October 21, 1991

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Dorothy H. Tomlinson and Alfred T. Tomlinson against the City and County by payment of \$90,000. (City Attorney)

File 45-91-54, Ordinance No. 375-91

(Superior Court No. 918-326.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of attorneys' fees incurred in connection with racial harassment claims under Consent Decree against the San Francisco Fire Department, USA v. City and County of San Francisco, Fontaine Davis v. City and County of San Francisco by payment of \$268,891.25. (City Attorney)

File 45-91-55, Ordinance No. 373-91

(U.S. District Court Nos. C84-1100 MHP and C84-7089 MHP)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Harry Andrews, et al., against the City and County by payment of \$20,000. (City Attorney)

File 45-91-56, Ordinance No. 374-91

(Superior Court No. 810-911)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Maria Estrada and Roger Estrada against the City and County by payment of \$15,000. (City Attorney)

File 45-91-57, Ordinance No. 376-91

(Superior Court No. 908-520.)

Finally passed.

Recommendation of City Services and Finance Committees

Monday, October 21, 1991

Finally Passed

[Warning Signs - Condoms]

Ordinance amending Health Code, providing for point of retail sale condom warning signs. (Supervisors Migden, Alioto, Britt, Achtenberg)

File 118-91-6, Ordinance No. 381-91

(October 1, 1991 - Recommended by City Services Committee.)

(October 9, 1991 - Amended, then recommended by Finance Committee.)

(Adds Section 267.)

(Fiscal Impact.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$1,036,325, Department Public Health-Central Office, San Francisco General Hospital and Community Mental Health Services, for permanent salaries-miscellaneous, temporary salaries, nurses, related mandatory fringe benefits and medical service contract, for the creation of eighteen positions; subject of previous budgetary denial, for fiscal year 1991-92. (Controller)

File 101-91-15, Ordinance No. 378-91

(This item is the subject of previous budgetary denial; requires 8 votes for passage, pursuant to Charter Section 6.306.)

Finally passed the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

Monday, October 21, 1991

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1991-92, Department of Public Health, reflecting the addition of eighteen positions (five positions Community Public Health Services, five positions Mental Health, Substance Abuse, and Forensics and eight positions San Francisco General Hospital); companion measure to File 101-91-15. (Civil Service Commission)

File 102-91-6, Ordinance No. 380-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 9.

Absent: Supervisors Britt, Shelley - 2.

[Filing & License Fees for Police Permits]

Ordinance amending Police Code, relating to filing fees and deleting filing and license fees for motor vehicles for hire. (Police Commission)

File 121-91-8, Ordinance No. 382-91

(Amends Sections 2.26 and 2.27.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 9.

Absent: Supervisors Britt, Shelley - 2.

(Supervisor Gonzalez dissenting in Committee.)

[Filing & License Fees for Police Permits]

Ordinance amending Police Code, relating to filing fees and to license fees, establishing separate fee schedules for motor vehicles for hire. (Police Commission)

File 121-91-9, Ordinance No. 383-91

(Adds Sections 2.26.1 and 2.27.1.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Gonzalez - 1.

Absent: Supervisor Britt - 1.

Monday, October 21, 1991

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$117,085 for permanent salaries - miscellaneous and related mandatory fringe benefits, for the creation of two positions, Public Health - Community Mental Health Services; subject of previous budgetary denial, for Fiscal Year 1991-92. (Controller)

File 101-91-15.1, Ordinance No.

(This item is the subject of previous budgetary denial; requires 8 votes for passage, pursuant to Charter Section 6.306.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1991-92, Department of Public Health, reflecting the addition of two positions (Mental Health); companion measure to File 101-91-15.1. (Civil Service Commission)

File 102-91-6.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Government Funding]

Ordinance appropriating \$1,573,103, Retirement System, for temporary salaries and overtime, mandatory fringe benefits, other contractual services, postage, materials and supplies and non-work order services of other departments-City Attorney, placing \$1,388,103 on reserve, for fiscal year 1991-92. (Controller)

File 101-91-18, Ordinance No.

Passed for second reading by the following vote:

Monday, October 21, 1991

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Sale of Easements]

Ordinance authorizing sale of two non-exclusive access easements of property owned by the City and County of San Francisco (Public Utilities Commission's Hetch Hetchy property in San Joaquin County) to Connolly Ranch, Inc. for the purpose to permit limited pedestrian and vehicular egress to and from property - \$5,000. (Real Estate Department)

File 82-91-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted

[Airport Administration]

Resolution approving a declaration of emergency, electrical power cable failure, Cable 12BATS-1 San Francisco International Airport. (Airports Commission)

File 28-91-10, Resolution No. 934-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Sewer Construction Financing]

Resolution finding and determining that the southeast area combined sewer overflow control facilities will protect and preserve the environment and that the use of loan funds is the most cost-effective method of financing the project; authorizing the Director of Public Works to apply for and enter into loan agreements not to exceed approximately \$4.1 million. (Department of Public Works)

File 53-91-4, Resolution No. 937-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Monday, October 21, 1991

Absent: Supervisor Britt - 1.

[Grant - State Funds]

Resolution authorizing the Chief of Police to apply for, accept and expend funds in the amount of \$103,603 which include indirect costs in the amount of \$6,907, or five percent of the total grant award, made available through the Office of Criminal Justice Planning for a project entitled "Gang Violence Suppression Program"; and agreeing to provide cash match in the amount of \$34,534; providing for ratification of action previously taken. (Mayor)

File 143-91-2, Resolution No. 932-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Grant - State Funds]

Resolution authorizing the Executive Director of the Port to apply for, accept and expend funds in the amount of \$5,809,050 from the California Transportation Commission and \$25,000 from the Metropolitan Transportation Commission for support of Phase II of the Northern Ferry Terminal on Pier 1/2; waiving indirect costs; providing for ratification of action previously taken. (Port Commission)

File 144-91-2, Resolution No. 939-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Jurisdictional Transfer]

Resolution transferring jurisdiction from the Water Department to the Recreation Department of a portion of Lot 6 in Assessor's Block 7281, a portion of the Old Great Highway, for inclusion in the Zoo Master Plan Expansion Program; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 199-91-2, Resolution No. 941-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Monday, October 21, 1991

Absent: Supervisor Britt - 1.

Recommendations of Joint City Services/Economic and
Social Policy and Finance Committees

Passed for Second Reading

[Reclaimed Water Use]

Ordinance amending the Public Works Code, regarding the use of reclaimed water by water users. (Supervisors Achtenberg, Migden, Alioto, Shelley, Ward, Maher, Kennedy)

File 188-91-2, Ordinance No.

(Adds Article 22.)

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Reclaimed Water Use]

Ordinance amending the Public Works Code, regarding the use of reclaimed water by water users. (Supervisors Migden, Achtenberg, Alioto, Shelley, Ward, Maher, Kennedy)

File 188-91-5, Ordinance No.

(Adds Article 22.)

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Recommendation of Economic and Social Policy and Finance Committees

Adopted

[Seniors - Prima Facie Speed Limits]

Resolution determining that the City and County should implement a traffic regulation program pursuant to the Vehicle Code, and urging the Mayor to urge the Parking and Traffic Commission to urge the

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Director of the Parking and Traffic Department to post signs that warn drivers of "senior" crossing zones in areas used by seniors to visit senior facilities. (Supervisors Gonzalez, Shelley, Hallinan)

File 20-91-13, Resolution No. 935-91

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Recommendations of City Services Committee

Passed for Second Reading

[Junk Dealers - Definition]

Ordinance amending Police Code, to exclude a recycler from provisions regulating a junk dealer. (Supervisors Shelley, Alioto, Achtenberg, Migden)

File 121-91-10, Ordinance No.

(Amends Sections 974.1, 974.2.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted

[Parking Facility - 24th and Utah Streets]

Resolution endorsing the construction of a parking facility at 24th and Utah Streets; urging the Mayor to urge the Health Commission and the Chief Administrative Officer to begin construction of a parking facility at 24th and Utah Streets in conjunction with the construction of the mental health facility at San Francisco General Hospital; urging that the construction of such a parking structure be completed earlier than, but certainly no later than, April of 1994. (Supervisor Gonzalez)

File 47-90-6, Resolution No. 936-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

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Adopted as Amended

[Street Artist]

Resolution designating selling spaces on Beach Street, northwest corner, at Hyde Street, for street artists certified by the Arts Commission, City and County of San Francisco; providing for review of these designations every six months through May of 1993; and describing the issues to be considered at each six month review. (Supervisor Hallinan)

File 169-91-1, Resolution No. 940-91

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to amend on Page 1, line 9 by replacing "craftman" with "craftperson".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Alioto, Britt, Ward - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Alioto, Britt, Ward - 3.

From the Board

Report Received; Filed

Report from Executive Director, Commission on the Status of Women on sexual harassment in San Francisco. (Supervisor Achtenberg)

File 264-91-1

Sharon Johnson, Executive Director of the Commission on the Status of Women reported on what the Commission is doing and should be done regarding sexual harassment in the workplace.

Report received and Filed.

SPECIAL ORDER - 3:00 P.M.

Consideration Continued

[Public Hearing]

Hearing of appeal from the decision of the City Planning Commission by its Motion No. 13139, dated August 1, 1991, approving Conditional Use Application No. 91.292C, authorizing the amendment of a previous conditional use authorization as set forth in City Planning

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Commission Motion No. 8816 allowing transfer of ownership of an existing nonconforming automotive repair operation to a new party for property within both an RH-3 and RH-2 Districts of property located at 259 Frederick Street.

File 37-91-6

(Appeal filed August 30, 1991.)

(Categorically exempt from environmental review.)

Supervisor Shelley, seconded by Supervisor Maher, moved to continue consideration to October 28, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

From the Clerk

Consideration Continued

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13139, dated August 1, 1991, approving Conditional Use Application No. 91.292C, for conditional use authorization of property at 259 Frederick Street.

File 37-91-6.1

Supervisor Shelley, seconded by Supervisor Maher, moved to continue consideration to October 28, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13139, dated August 1, 1991, approving Conditional Use Application No. 91.292C, for a conditional use authorization of property at 259 Frederick Street.

File 37-91-6.2

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Supervisor Shelley, seconded by Supervisor Maher, moved to continue consideration to October 28, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed conditional use of property at 259 Frederick Street, for action by the Board at its next meeting.

File 37-91-6.3

Supervisor Shelley, seconded by Supervisor Maher, moved to continue consideration to October 28, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of all persons interested in or objecting to the recommendation of the Public Utilities Commission for discontinuance of partial services at all times on 18th Street, Folsom Street and South Van Ness Avenue between 16th and Folsom Streets and 18th and Mission Streets on Municipal Railway Motor Coach Line 33-Stanyan.

File 7-91-12

(Filed September 27, 1991.)

The President inquired if there was anyone present who wished to speak.

The privilege of the floor was granted to the following persons:

Peter Strauss, Public Utilities Commission;
Rose Saklin;
Paul Reno;
Greg Johnson;
Denhart Queen.

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Adopted

(Only one of the following two resolutions should be adopted.)

[Public Transportation]

Resolution approving the partial discontinuance of service of Municipal Railway Line 33-Stanyan. (Public Utilities Commission)

File 7-91-12, Resolution No. 933-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Migden, Shelley, Ward - 7.

Noes: Supervisors Gonzalez, Kennedy, Maher - 3.

Absent: Supervisor Britt - 1.

Tabled

[Public Transportation]

Resolution disapproving the partial discontinuance of service of Municipal Railway Line 33-Stanyan. (Public Utilities Commission)

File 7-91-12.1, Resolution No.

Supervisor Achtenberg, seconded by Supervisor Hallinan, moved to table.

Motion to table adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to report of delinquent charges for insufficient filing of Annual Unit Usage Report and for failure to file Annual Unit Usage Report submitted by the Superintendent of the Bureau of Building Inspection, as modified to the date of adoption of this resolution and creating special assessments and liens based thereon. (Supervisor Kennedy)

File 113-91-2

The President inquired if there was anyone present who wished to speak.

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The privilege of the floor was granted to the following persons:

Bernard Tom, Department of Public Works, Bureau of Building
Inspection;
Elizabeth Grayson, 520 Jones Street;
Mr. Gill, 438 O'Farrell Street;
Ms. Esther, 16 Virginia Street.

From Department of Public Works

Question Divided; Adopted as Amended

[Residential Hotel Conversion]

Resolution confirming Report of Delinquent charges for insufficient
filing of Annual Unit Usage Report and for failure to file Annual
Unit Usage Report submitted by the Superintendent of the Bureau of
Building Inspection, as modified to the date of adoption of this
resolution and creating special assessments and liens based thereon.

File 113-91-2, Resolution No. 938-91

<u>(Property</u>	<u>Amount</u>
((438 O'Farrell Street	\$1,048.05))
1041 Valencia Street	1,048.05
16 Virginia Street	1,048.05
106 - 6th Street	1,048.05
((136 - 6th Street	1,048.05))
226 - 6th Street	1,048.05
640 Eddy Street	607.50
((520 Jones Street	607.50))
27 Monroe Street	607.50
2901 Pacific Avenue	607.50
166 Turk Street	607.50.)

Without objection the following properties - 438 O'Farrell
Street; 136 - 6th Street and 520 Jones Street, were divided from the
main resolution at the request of Supervisors Hallinan and Kennedy,
respectively.

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the
Chair.

The main resolution was adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh,
Kennedy, Maher, Migden, Shelley - 8.

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Absent: Supervisors Alioto, Britt, Ward - 3.

Consideration Continued

[Residential Hotel Conversion]

Resolution confirming Report of Delinquent charges for insufficient filing of Annual Unit Usage Report and for failure to file Annual Unit Usage Report submitted by the Superintendent of the Bureau of Building Inspection, as modified to the date of adoption of this resolution and creating special assessments and liens based thereon.

File 113-91-2, Resolution No.

<u>(Property)</u>	<u>Amount</u>
438 O'Farrell Street	\$1,048.05
136 - 6th Street	1,048.05
520 Jones Street	607.50)

Supervisor Kennedy, seconded by Supervisor Achtenberg, moved to continue consideration to November 4, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisor Alioto, Britt, Ward - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Denhart Queen;
Ace Washington.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

The following two items were acted upon separately.

Adopted as Amended

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[Embarcadero Roadway Traffic Improvements]

Resolution declaring it the policy of the City and County to restore traffic flow in the northern waterfront; supporting immediate repaving of the Embarcadero Roadway; urging the Mayor to urge the Department of Public Works to develop an Embarcadero Plan with ((four)) three lanes of traffic in either direction south of Broadway. (Supervisor Maher)

File 272-91-5, Resolution No. 942-91

(October 15, 1991 - Introduced in Board for consideration on October 21, 1991.)

Supervisor Ward requested this item be sent to Committee.

Suspension of the Rules

Supervisor Maher, seconded by Supervisor Gonzalez, moved that the Rules of Order concerning reference to committee be suspended to permit the Board to vote on the above item today.

Motion to suspend the rules refused adoption by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hsieh, Kennedy, Maher, Shelley - 6.

Noes: Supervisors Alioto, Hallinan, Migden - 3.

Absent: Supervisors Britt, Ward - 1.

Supervisor Maher, seconded by Supervisor Gonzalez, moved to amend the pending resolution to change from "four lanes of traffic" to "three lanes of traffic."; thereby amending title to read: "Declaring it the policy of the City and County to restore traffic flow in the northern waterfront; supporting immediate repaving of the Embarcadero Roadway; urging the Mayor to urge the Department of Public Works to develop and Embarcadero Plan with three lanes of traffic in either direction south of Broadway."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Maher, Shelley, Ward - 7.

Noes: Supervisor Alioto - 1.

Absent: Supervisors Britt, Migden, Ward - 3.

Suspension of the Rules

Supervisor Maher, seconded by Supervisor Gonzalez, moved that the Rules of Order concerning reference to committee be suspended to permit the Board to vote today on the item, as amended.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hsieh, Kennedy, Maher, Shelley - 8.

Noes: Supervisor Alioto - 1.

Absent: Supervisors Britt, Ward - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

Adopted

[Personal Service Contracts]

Motion directing the Budget Analyst to conduct an analysis of planning, design and environmental review personal services contracts for fiscal year 1990-1991 to determine whether these contracts can be more effectively and efficiently provided by in-house staff. (Supervisor Hallinan)

File 165-91-9

(October 15, 1991 - Introduced in Board for consideration on October 21, 1991.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find the need to take action arose after the calendar was published (if the resolution is not printed on this calendar) and (b) a vote to adopt the resolution. A unanimous vote is a required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-42, Resolution No. 921-91

(Harry G. Britt, member, Board of Supervisors, October 22 - November 4; Jim Gonzalez, member, Board of Supervisors, November 16 - 21; Bill Maher, member, Board of Supervisors, November 9 - 23; John L. Taylor, Clerk of the Board, Board of Supervisors, November 11 - 16 Patrick A. Murphy, Vice President, Airports Commission, October 16 - 21, 1991.)

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Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[NIMLO 1994 Annual Conference]

Resolution supporting San Francisco's bid as the site for the 1994 National Institute of Municipal Law Officers' Annual Conference.

File 4-91-26, Resolution No. 919-91

Supervisor Ward presented for immediate adoption.

Adopted.

[Broadway/Columbus -- Left Turn]

Resolution rescinding Resolution No. 275-91 that allows left-turns from Broadway Street to Columbus Avenue.

File 20-91-18, Resolution No. 922-91

Supervisor Maher presented for immediate adoption.

Adopted.

[Broadway - Left Turn]

Resolution amending Resolution No. 13009 by re-designating the intersection of Broadway, east bound traffic, into Powell Street from which left-hand turns are prohibited--between the hours of 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m. Monday through Friday, and requesting the Department of Public Works to erect a left-turn signal and appropriate signs giving notice of such prohibition.

File 20-91-19, Resolution No. 923-91

Supervisor Maher presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Steuart Street, between Howard and Harrison Streets, on Saturday, October 26, 1991 at 7:00 a.m. and 6:00 p.m. (subject to applicant obtaining final approval from the Port Commission) for filming of movie "Back to the Streets of San Francisco.

File 42-91-65, Resolution No. 924-91

Supervisor Ward presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Steuart Street, between Folsom and Harrison Streets, on Wednesday, October 30, 1991 at 6:00 a.m. through Friday, November 1, 1991 at 8:00 p.m. (subject to applicant obtaining final approval from the Port Commission) for filming of movie by Universal Studios.

File 42-91-66, Resolution No. 925-91

Supervisor Ward presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Lane Street, between Quesada and Revere Avenues, On Saturday, October 26, 1991 at 12:30 p.m. and 4:30 p.m., for grand opening of Jelani House sponsored by Catholic Charities of the Archdiocese of San Francisco.

File 42-91-67, Resolution No. 926-91

Supervisor Ward presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of 29th Street, between Church and Dolores Street, on Wednesday, October 23, 1991 at 7:00 a.m. to 7:00 p.m. for filming of a movie by Walt Disney Studios.

File 42-91-68, Resolution No. 927-91

Supervisor Ward presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Clover Street, between 18th Street and Caselli Avenue, on Sunday, October 27, 1991 at 1:00 p.m. and 4:30 p.m. for Children's Halloween Party sponsored by Lynn Niamela.

File 42-91-69, Resolution No. 928-91

Supervisor Alioto presented for immediate adoption.

Adopted.

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[Grant - State]

Resolution authorizing the Department of Public Health to apply for, accept and expend for fiscal year 1991-92 funding from the State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds, which includes indirect costs of 1.658646 percent of county hospital and other health services CHIP allocations, and authorizing the expenditure of grant funds to continue financing civil service positions for the provisions of CHIP services.

File 146-91-76, Resolution No. 920-91

Supervisor Gonzalez presented for immediate adoption.

Adopted.

[Fire Relief]

Resolution extending sympathy to those affected by the Berkeley and Oakland Hills fire; urging the Mayor to urge all City and County departments to offer technical assistance and other resources; urging all San Francisco residents to contribute to the relief efforts.

File 251-91-2, Resolution No. 929-91

Supervisor Achtenberg presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Hsieh, Ward - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Centers for Disease Control Guidelines]

Resolution applauding the courageous action of the California Medical Association, the University of California at San Francisco, the San Francisco General Hospital, and the San Francisco County Health Department in opposing recent CDC Guidelines regarding "High-Risk" medical procedures; urging other local health care organizations to join the effort to overturn the CDC Guidelines; urging his honor, the Mayor to urge the local health director to work to overturn the CDC Guidelines; urging Governor Wilson to

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support the rights of HIV-infected health care workers; urging the director of the CDC to withdraw the guidelines and convene an independent panel of experts to address the issue of protecting the safety of patients and health care workers. (Supervisors Alioto, Achtenberg, Britt, Migden, Shelley presented.) Referred to Board October 28, 1991 For Adoption Without Committee Reference Calendar.

File 13-91-28

[Peninsula Corridor Right-of-Way Acquisition]
Resolution ratifying the action of the Peninsula Corridor Study Joint Powers Board approving Peninsula Corridor Right-of-Way Acquisition Agreements and accepting the conditions imposed by the California Transportation Commission. (Supervisors Hsieh, Achtenberg presented.) Referred to Board October 28, 1991 For Adoption Without Committee Reference Calendar.

File 171-91-19

Referred to Joint Committee

[Seafood Industry Revitalization Plan]
Resolution urging the Mayor to urge the Port Commission and the Director of the Port to adopt a 10-Point Plan to revitalize the seafood industry in San Francisco, and further urging that this plan be implemented by the Mayor, Port Commission, and the Director of the Port. (Supervisors Gonzalez, Shelley presented.) Referred to Joint Economic and Social Policy/Finance Committee.

File 173-91-6

Referred to Committee

[Embarcadero Roadway Traffic Improvements]
Resolution declaring it the policy of the City and County to restore traffic flow in the northern waterfront; supporting immediate repaving of the Embarcadero Roadway; urging the Mayor to urge the Department of Public Works to develop an Embarcadero Plan with four lanes of traffic in either direction south of Broadway. (Supervisor Maher presented.) Referred to Economic and Social Policy Committee.

File 272-91-5.1

Requests for Hearings

File 30-91-21, By Supervisors Gonzalez, Alioto, Kennedy, Maher, Migden, Shelley: To consider the status of City services which are provided to respond to the needs of women who may have breast cancer, especially women of limited resources and who do not have health insurance. Referred to City Services Committee.

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File 114-91-12, By Supervisor Gonzalez: To consider legislation which would require contractors who take out a City building permit to list all the subcontractors working on the project with dollar amounts of each contract, and requiring the Tax Collector's office to sign-off on the permits that all of the contractors are registered to pay City taxes in compliance with the City tax laws prior to the inspector (building) signing-off on the permit. Referred to City Services Committee.

File 264-91-2, By Supervisor Achtenberg: To consider the needs of the Commission on the Status of Women regarding strengthening their ability to deal with sexual harassment cases. Referred to City Services Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 96-91-3. [Sale of Property] Authorizing conveyance of a 2'x60' strip of land over Water Department's Bay Division Pipeline Right-Of-Way in San Mateo County pursuant to settlement approved by Public Utilities Commission - \$32,500. (Real Estate Department). Finance.

File 114-91-10. [R-3, Including One and Two Family, Rental Unit License Fee] Amending Building Code by amending Section 333.1 and Housing Code by amending Section 302, to establish a fee to defray the costs of the Bureau of Building Inspection to inspect code violation complaints for R-3 occupancies including one and two family rental units. (Department of Public Works). Finance.

File 114-91-11. [B.B.I. Fee Schedule] Amending Building Code by amending Section 333.3, relating to the fee for energy reports and certificates. (Department of Public Works). Finance.

File 121-91-11. [Nondiscrimination in Business Practices] Amending Police Code, by amending Article 33, Section 3305 thereof, to prohibit business establishments from engaging in discriminatory admission policies by requiring businesses that require more than one valid identification document for admittance to business establishments to adopt, post and uniformly apply the policy for admittance to business establishments, and amending Article 15, Section 1027 thereof, to allow the Chief of Police to suspend the dance hall permit of a permittee who violates Police Code Section 3305. (Police Commission). City Services

Resolutions Referred to Committee

File 28-91-12. [Emergency Repair] Authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to restore the integrity of the boilers in the Civic Center Power House. (Department of Public Works). Finance.

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File 93-91-18. [MOU] Authorizing the execution of a Memorandum of Understanding between the City and County of San Francisco and the State of California Department of Social Services which shall provide funding in the amount of \$224,626 to the City and County of San Francisco for providing Foster Family Home Licensing Services for Fiscal Year 1991-92, commencing July 1991. (Department of Social Services). Finance.

File 146-91-73. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Substance Abuse Services to accept and expend a continuation augmentation to a grant up to the amount of \$2,701,134 from the United States Department of Health and Human Services/Alcohol, Drugs and Mental Health Administration/Office for treatment improvement through the State of California, Department of Alcohol and Drug Programs to enhance existing drug abuse treatment programs in order to provide services to critical populations; companion measure to File 146-90-73. (Department of Public Health). Finance.

File 146-91-72. [Grant - State Funds] Authorizing the Department of Public Health, Community Substance Abuse Services to accept and expend a subvention up to the amount of \$54,153 from the State of California, Department of Alcohol and Drug Programs to continue the development of a five-year drug and alcohol abuse plan which will combine the drug and alcohol components to the extent possible under the terms and provisions of Senate Bill No. 2599, Seymour, which amends Section 11751.4 of and adds Division 10.6 to the Health and Safety Code; companion measure to File 146-90-65. (Department of Public Health). Finance.

File 146-91-74. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to apply for, accept and expend a grant of \$482,018, which includes indirect costs of \$49,735 based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to fund the Evaluation and Enhancement of HIV/AIDS Prevention Street and Community Outreach Programs that Serve Youth in High-Risk Situations Project and to establish and finance Civil Service positions for the provision of these services for the residents of San Francisco. (Department of Public Health). Finance.

File 146-91-75. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Services-Special Programs for Youth, to accept and expend as subgrantee a grant of \$30,000, which does not include any indirect costs from Larkin Street Youth Center as prime grantee from the US Department of Health and Human Services/Office of Human Development Services, for the provision of health care services for San Francisco's Homeless and Runaway Youth, and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services; companion measure to Files 146-90-9 and 146-91-19. (Department of Public Health). Finance.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

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By Supervisor Alioto, that a letter be sent to the Controller inquiring into the status of the selective tracking report promised to the Board in a memorandum dated August 20, 1991, and asking that the report be released within one week.

By Supervisor Alioto, that a letter be sent to the City Planning Department inquiring into the possibility of re-zoning 2403 - 23rd Street from household to office use.

By Supervisor Gonzalez, Alioto, Kennedy, Maher, Migden, Shelley, that the Budget Analyst and Department of Public Health provide a summary of current statistics and public expenditures involved in the prevention and treatment of breast cancer.

By Supervisor Gonzalez, that a letter be sent to his honor, the Mayor urging him to issue a proclamation outlining the City's support of current negotiations for peace in El Salvador, as requested by Maria Mirtala Lopez, a resident of Las Vueltas, San Francisco's Friendship-Solidarity Partnership City.

By Supervisor Gonzalez, that a letter be sent to the City Attorney inquiring whether she can expedite the preparation of the legislation entitled "Tax Collector's Review of Construction Vendors" by Thursday, October 24, 1991, due to important time deadline.

By Supervisor Hsieh, that a letter be sent to the Parking and Traffic Department inquiring on obtaining a progress report on the development schedule every six months for the parking garage at 24th and Utah Streets.

By Supervisor Kennedy, that a letter be sent to the Mayor, CALTRANS and the Transportation Authority inquiring as to what research and/or visits to urban cities that have freeways that are not offensive to the eye, nor detrimental to the environment, i.e. Atlanta, Georgia.

By Supervisor Migden, that a letter be sent jointly to the Federal Communications Commission and the Citizens Telecommunication Committee, to determine the feasibility of mandatory open captioning for the hearing impaired in the case of a public emergency or natural disaster, i.e. the fire in the Oakland Hills and Berkeley.

By Supervisor Shelley, that a letter be sent to the Fire and Water Departments inquiring if they will report back to the Board on whether the existing fire hydrant system on Bernal Heights meets the minimum standards for firefighting. The first request was made on September 9, 1991.

By Supervisor Britt, that the City Attorney prepare legislation approved as to form amending the Administrative Code to require that (1) a detailed assessment be done of the San Francisco Waste Stream, (2) City departments establish in-house waste reduction committees, (3) San Francisco encourage the remanufacturing of collected recyclables and (4) all City and County departments and agencies purchase recycled products to the maximum extend possible.

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By the entire board, that letters be sent to the Oakland and Berkeley city councils, to the Alameda County Board of Supervisors, and to staff members who lost their homes in the East Bay Fire expressing the sympathy of the Board and expressing a desire to assist in the recovery process.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Persons killed in East Bay Fire (Entire Board)
Joyce P. Banks (Supervisor Ward)
Mark Upshaw (Supervisor Ward)
William Greene (Supervisor Alioto)
Sally A. Brunn (Entire Board)

File 2-91-42

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:27 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 27, 1992.

Monday, October 21, 1991

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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28/91
Vol. 86

No. 43

Monday, October 28, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, October 28, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Kennedy, Migden, Shelley, Ward - 6.

Noted absent at first roll call:

Supervisors Britt, Gonzalez, Hallinan, Hsieh, Maher - 5.

Quorum present.

Supervisor Britt excused, on official leave of absence.

Supervisor Gonzalez was noted present at 2:12 p.m.

Supervisor Hallinan was noted present at 2:05 p.m.

Supervisor Hsieh was noted present at 2:14 p.m.

Supervisor Maher was noted present at 2:17 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Migden, moved that the Journal of Proceedings for Monday, February 11, 1991, be approved. .

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Britt, Gonzalez, Hsieh, Maher - 4.

Monday, October 28, 1991

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$25,000, Retirement System, for overtime, rescinding \$25,000 from permanent salaries and mandatory fringe benefit. (Controller)

File 101-91-16, Ordinance No. 387-91

Finally passed.

[Government Funding]

Ordinance appropriating \$1,573,103, Retirement System, for temporary salaries and overtime, mandatory fringe benefits, other contractual services, postage, materials and supplies and non-work order services of other departments-City Attorney, placing \$1,388,103 on reserve, for fiscal year 1991-92. (Controller)

File 101-91-18, Ordinance No. 388-91

Finally passed.

[Sale of Easements]

Ordinance authorizing sale of two non-exclusive access easements of property owned by the City and County of San Francisco (Public Utilities Commission's Hetch Hetchy property in San Joaquin County) to Connolly Ranch, Inc. for the purpose to permit limited pedestrian and vehicular egress to and from property - \$5,000. (Real Estate Department)

File 82-91-4, Ordinance No. 384-91

Finally passed.

Recommendations of Joint City Services/Economic and
Social Policy Committee and Finance Committee

Finally Passed

[Reclaimed Water Use]

Ordinance amending the Public Works Code, regarding the use of reclaimed water by water users. (Supervisors Achtenberg, Migden, Alioto, Shelley, Ward, Maher, Kennedy)

File 188-91-2, Ordinance No. 391-91

Monday, October 28, 1991

(Adds Article 22.)

(Fiscal Impact.)

Finally passed.

[Reclaimed Water Use]

Ordinance amending the Public Works Code, regarding the use of reclaimed water by water users. (Supervisors Migden, Achtenberg, Alioto, Shelley, Ward, Maher, Kennedy)

File 188-91-5, Ordinance No. 390-91

(Adds Article 22.) ,

(Fiscal Impact.)

Finally passed.

Recommendation of City Services Committee

Finally Passed

[Junk Dealers - Definition]

Ordinance amending Police Code, to exclude a recycler from provisions regulating a junk dealer. (Supervisors Shelley, Alioto, Achtenberg, Migden)

File 121-91-10, Ordinance No. 389-91

(Amends Sections 974.1, 974.2.)

Finally passed.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Maria Olivia Castro against the City and County by payment of \$22,000. (City Attorney)

File 45-91-58, Ordinance No.

(Superior Court No. 909-432.)

Passed for second reading.

Monday, October 28, 1991

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Jon Lentz against the City and County by payment of \$25,000. (City Attorney)

File 45-91-59, Ordinance No.

(Superior Court No. 914-413.)

Passed for second reading.

[Settlement of Attorney's Fees Claim]

Ordinance authorizing settlement of attorney's fees claim against the City and County by payment of \$198,000. (City Attorney)

File 48-91-8, Ordinance No.

(U.S. District Court No. C84-6899 TEH;

(U.S. Court of Appeals for the Ninth Circuit 85-2420).

Passed for second reading.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Britt, Gonzalez, Hsieh, Maher - 4.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$117,085 for permanent salaries - miscellaneous and related mandatory fringe benefits, for the creation of two positions, Public Health - Community Mental Health Services; subject of previous budgetary denial, for Fiscal Year 1991-92. (Controller)

File 101-91-15.1, Ordinance No. 385-91

(This item is the subject of previous budgetary denial; requires 8 votes for passage, pursuant to Charter Section 6.306.)

Finally passed by the following vote:

Monday, October 28, 1991

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1991-92, Department of Public Health, reflecting the addition of two positions (Mental Health); companion measure to File 101-91-15.1. (Civil Service Commission)

File 102-91-6.1, Ordinance No. 386-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Britt, Gonzalez, Hsieh, Maher - 4.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$35,359, Superior Court, for fees and other compensation; for fiscal year 1991-92. (Controller)

File 101-91-19, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Passed for Second Reading as Amended

[Stow Lake Lease]

((Ordinance approving a twenty-year lease with Stow Lake Corporation for establishing and operating a boat rental, bicycle rental and snack bar concession at Stow Lake, Golden Gate Park, San Francisco, California.)) (Recreation and Park Department)

Ordinance approving a fifteen-year lease with Stow Lake Corporation for establishing and operating a boat rental, bicycle rental and snack bar concession at Stow Lake, Golden Gate, San Francisco.

File 62-91-5, Ordinance No.

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Supervisor Gonzalez, seconded by Supervisor Migden, moved an amendment of the Whole "Resolution approving a fifteen-year lease with Stow Lake Corporation for establishing and operating a boat rental, bicycle rental and snack bar concession at Stow Lake, Golden Gate Park, San Francisco."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Passed for Second Reading

[Public Health Contracts]

Ordinance amending Administrative Code, to permit the Department of Public Health to enter into agreements with the Westside Community Mental Health Center enabling the Department of Public Health to provide medical services. (Department of Public Health)

File 97-91-53, Ordinance No.

(Adds Section 19A.26)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted

[Airport Administration]

Resolution approving a declaration of emergency, reinstallation of sectionalizing boxes A243 A & B - San Francisco International Airports - \$93,760. (Airports Commission)

File 28-91-11, Resolution No. 948-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

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[Contract Award Extension]

Resolution approving an extension of time of one hundred and fifty days to award Municipal Railway Contract No. MR-1026, Presidio Trolley Coach & General Office Facility, Rehabilitate HV System of the General Administrative Office. (Public Utilities Commission)

File 61-91-2, Resolution No. 950-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Emergency Services]

Resolution authorizing the Director, Mayor's Public Safety Office and Emergency Services, and the Deputy Director, Mayor's Public Safety Office, to execute certain documents relating to financial assistance under Federal Civil Defense Act of 1950, as amended, and rescinding Resolution No. 568-90. (Supervisor Shelley)

File 68-91-5, Resolution No. 951-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services to accept and expend a grant up to the amount of \$2,231,619 from the State of California, Department of Alcohol and Drug Programs for substance abuse treatment and linkage services to the homeless; waiving indirect costs. (Department of Public Health)

File 146-91-71, Resolution No. 955-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Grant - Federal Funds]

Resolution authorizing the City Librarian to accept and expend funds not to exceed \$70,000 which include indirect costs in the amount of \$3,123 or five percent of the total grant award, available from the

Monday, October 28, 1991

Library Services and Construction Act for 1991-92, for the Partnerships for Change Program; authorizing the Public Library to provide matching funds in the amount of \$5,000; providing for ratification of action previously taken. (Public Library)

File 147-91-4.1, Resolution No. 956-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Bond Approval]

Resolution authorizing the issuance, sale and delivery of City and County of San Francisco variable rate revenue bonds in an aggregate principal amount not to exceed ten million dollars (\$10,000,000) to finance an acoustical renovation program at Davies Symphony Hall by the San Francisco Symphony. (Supervisor Achtenberg)

File 170-91-6, Resolution No. 960-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Recommendations of Administration and Oversight
and Finance Committees

Passed for Second Reading

[Sidewalk]

Ordinance amending Public Works Code, requiring abutting owners to maintain safe condition and establishing liability in tort for failing to maintain in a safe condition. (Department of Public Works)

File 123-91-1, Ordinance No.

(Amends Section 706.)

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

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Adopted

[Budget Analyst]

Motion exercising the first option set forth in the agreement to provide Budget Analyst services between the Board of Supervisors and Stanton W. Jones and Associates/Debra A. Newman/Rodriguez, Perez, Delgado & Company Certified Public Accountants/Harvey M. Rose Accountancy Corporation Certified Public Accountants/Wallace, Mah & Louis Certified Public Accountants - A Joint Venture, to extend the term of the agreement from January 1, 1992 to December 31, 1993. (Clerk of the Board)

File 98-91-3

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Recommendations of Administration and Oversight Committee

Adopted

[San Francisco County Adult Day Health Plan]

Resolution authorizing approval of amendments to the San Francisco County Adult Day Health Plan. (Department of Public Health)

File 30-91-20, Resolution No. 949-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Britt, Hsieh, Shelley - 3.

[Appointments]

Resolution appointing members to the Emergency Medical Care Committee, terms expired, for the three-year terms ending June 30, 1994; making findings waiving residency requirement. (Administration and Oversight Committee)

File 92-91-14.7, Resolution No. 952-91

(Captain William Dwyer, vice himself, representing California Highway Patrol, non-resident;
Richard F. Angotti, vice himself, San Francisco Ambulance Association, non-resident.)

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Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Britt, Hsieh, Shelley - 3.

[Appointments]

Resolution appointing members to the Delinquency Prevention Commission, terms expired, for the four-year terms ending June 30, 1995. (Administration and Oversight Committee)

File 92-91-31, Resolution No. 953-91

(Ron Sugiyama, vice himself;
Thomatra Scott, vice himself.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Britt, Hsieh, Shelley - 3.

[Appointment]

Resolution appointing member to the Handicapped Access Appeals Board, for the four-year term ending November 1, 1995. (Administration and Oversight Committee)

File 92-91-34, Resolution No. 954-91

(Roslyn Baltimore, vice herself, construction industry, term
expiring November 1, 1991.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Britt, Hsieh, Shelley - 3.

[Appointments]

Resolution approving appointment of members of the Seismic Investigation and Hazard Survey Advisory Committee by the Director of Public Works with the approval of the Chief Administrative Officer. (Department of Public Works)

File 200-91-5, Resolution No. 959-91

Adopted by the following vote:

Monday, October 28, 1991

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Britt, Hsieh, Shelley - 3.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of appeal from the decision of the City Planning Commission by its Motion No. 13148, dated August 15, 1991, approving Conditional Use Application No. 90.653C, authorizing a religious facility (Synagogue) in an RH-1 (House, One Family) District of property located at 1495-42nd Avenue.

File 37-91-7

(Appeal filed September 16, 1991.)

(Categorically exempt from environmental review.)

The following persons were sworn in and granted privilege of the floor:

Appellants:

Walter Weybright;
Jerry Klein

Respondents:

Robert Passmore, representing City Planning Commission and
Department of City Planning;
Ellen Niddle.

A rebuttal period was allowed.

The President then declared the hearing closed.

From the Clerk

Adopted

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13148, dated August 15, 1991, approving Conditional Use Application No. 90.653C, for conditional use authorization of property at 1495-42nd Avenue.

File 37-91-7.1

Monday, October 28, 1991

Supervisor Kennedy, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 8.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Britt, Gonzalez - 2.

Tabled

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13148, dated August 15, 1991, approving Conditional Use Application No. 90.653C, for conditional use authorization of property at 1495-42nd Avenue.

File 37-91-7.2

Supervisor Hallinan, seconded by Supervisor Alioto, moved to table.

Motion to table adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Britt - 1.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed conditional use of property at 1495-42nd Avenue, for action by the Board at its next meeting.

File 37-91-7.3

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Britt - 1.

Monday, October 28, 1991

SPECIAL ORDER - 3:00 P.M.

Consideration Continued

[Public Hearing]

Hearing of appeal from the decision of the City Planning Commission by its Motion No. 13139, dated August 1, 1991, approving Conditional Use Application No. 91.292C, authorizing the amendment of a previous conditional use authorization as set forth in City Planning Commission Motion No. 8816 allowing transfer of ownership of an existing nonconforming automotive repair operation to a new party for property within both an RH-3 and RH-2 Districts of property located at 259 Frederick Street.

File 37-91-6

(Appeal filed August 30, 1991.)

(Categorically exempt from environmental review.)

Supervisor Achtenberg, seconded by Supervisor Kennedy, moved to continue consideration to November 4, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Maher - 3.

From the Clerk

Consideration Continued

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13139, dated August 1, 1991, approving Conditional Use Application No. 91.292C, for conditional use authorization of property at 259 Frederick Street.

File 37-91-6.1

Supervisor Achtenberg, seconded by Supervisor Kennedy, moved to continue consideration to November 4, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Maher - 3.

Monday, October 28, 1991

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13139, dated August 1, 1991, approving Conditional Use Application No. 91.292C, for a conditional use authorization of property at 259 Frederick Street.

File 37-91-6.2

Supervisor Achtenberg, seconded by Supervisor Kennedy, moved to continue consideration to November 4, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Maher - 3.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed conditional use of property at 259 Frederick Street, for action by the Board at its next meeting.

File 37-91-6.3

Supervisor Achtenberg, seconded by Supervisor Kennedy, moved to continue consideration to November 4, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Maher - 3.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to findings that the General Manager of the Department of Social Services has complied with the requirements of the Administrative Code and the Charter of the City and County and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services contract; by renewing the current contract to National Homecare Systems for a period not to exceed one year.

File 172-91-17

The privilege of the floor was granted to the following persons:

Julia Lopez, General Manager, Department of Social Services;
Dehnart Queen.

Monday, October 28, 1991

There being no one else present wishing to speak, the President declared the hearing closed.

From the Clerk

Adopted as Amended

[In-Home Supportive Renewal Contract]
((Resolution finding that the General Manager of the Department of Social Services of the City and County has complied with the requirements of the Administrative Code and the Charter of the City and County and the provisions of the Welfare and Institutions Code pertaining to the award of the in-home supportive services contract; by renewing the current contract to National Homecare Systems for a period not to exceed one year.)) (Supervisor Shelley)

Resolution finding that the General Manager of the Department of Social Services of the City and County of San Francisco has complied with the requirements of the Administrative Code and the Charter of the City and County of San Francisco and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services contract; by renewing the current contract for a period not to exceed one year.

File 172-91-17, Resolution No. 958-91

Supervisor Shelley, seconded by Supervisor Kennedy, moved an Amendment of the Whole entitled: "Resolution finding that the General Manager of the Department of Social Services of the City and County of San Francisco has complied with the requirements of the Administrative Code and the Charter of the City and County of San Francisco and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services contract; by renewing the current contract for a period not to exceed one year."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Monday, October 28, 1991

Dehnart Queen;
Emperor Arcadia;
Al Simmons;
Ace Washington.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Center for Disease Control Guidelines]

Resolution applauding the courageous action of the California Medical Association, the University of California at San Francisco, the San Francisco General Hospital, and the San Francisco County Health Department in opposing recent CDC Guidelines regarding "High-Risk" medical procedures; urging other local health care organizations to join the effort to overturn the CDC Guidelines; urging his honor, the Mayor to urge the local health director to work to overturn the CDC guidelines; urging Governor Wilson to support the rights of HIV-Infected health care workers; urging the Director of the CDC to withdraw the guidelines and convene an independent panel of experts to address the issue of protecting the safety of patients and health care workers. (Supervisors Alioto, Achtenberg, Britt, Migden, Shelley)

File 13-91-28, Resolution No. 947-91

(October 21, 1991 - Introduced in Board for consideration on October 28, 1991.)

Adopted.

[Peninsula Corridor Right-of-Way Acquisition]

Resolution ratifying the action of the Peninsula Corridor Study Joint Powers Board approving Peninsula Corridor Right-of-Way Acquisition Agreements and accepting the conditions imposed by the California Transportation Commission. (Supervisors Hsieh, Achtenberg, Migden)

File 171-91-19, Resolution No. 957-91

(October 21, 1991 - Introduced in Board for consideration on October 28, 1991.)

Adopted.

Monday, October 28, 1991

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Maher - 3.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-43, Resolution No. 943-91

(Kevin Shelley, member, Board of Supervisors, November 5 - 23; Lenore Chinn, member, Human Rights Commission, December 9 - 15; Robert Feldman, Executive Director, Board of Permit Appeals, November 20 - 24; Leonard Graff, member, Human Rights Commission, November 1 - 17; Wayne Hu, President, City Planning Commission, October 18 - 24; Patrick Murphy, Vice President, Airports Commission, October 16 - 21 and October 23, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Birmingham Six Week in San Francisco]

Resolution urging the Mayor to name November 6 through 13, 1991, "Justice for the Birmingham Six Week" in San Francisco.

File 4-91-27, Resolution No. 944-91

Supervisor Hallinan presented for immediate adoption.

Adopted.

Monday, October 28, 1991

[Street Closing]

Resolution authorizing temporary closing of a portion of Grant Avenue, between Bush and Sutter Streets, on Tuesday, November 19, 1991 at 6:00 p.m. until 9:00 p.m., for Grand Opening of "Hotel Triton", sponsored by Kimco Hotel Management.

File 42-91-70, Resolution No. 945-91

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Leidesdorff and Hallbeck Streets. Leidesdorff Street, between Pine and Sacramento Streets, on Saturday, November 2, 1991 at 8:00 a.m. through Sunday, November 3, 1991, at 6:00 p.m. and Hallbeck Street, between Leidesdorff and Sansome Streets, Saturday, November 2, 1991 at 10:00 a.m. through Sunday, November 3, 1991, at 6:00 p.m. for filming of movie "Sneakers" by Universal Studios.

File 42-91-71, Resolution No. 946-91

Supervisor Ward presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Maher - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Zoning Map Amendment Noe Valley Neighborhood Commercial District] Ordinance amending Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) by amending the Zoning Map of the City and County of San Francisco for properties generally described as Assessor's Block 6538, Lots 43 and 23 from RH-2 to 24th Street - Noe Valley Neighborhood Commercial District. (Supervisor Achtenberg presented.) Referred to Economic and Social Policy Committee.

File 36-91-8

Monday, October 28, 1991

[Government Funding]

Ordinance appropriating \$20,284,076 to purchase thirty-five (35) Light Vehicles (LRV), Municipal Railway for fiscal year 1991-92. (Supervisor Shelley presented on behalf of the Mayor.) Referred to Finance Committee with request it be considered at the November 6, 1991, meeting.

File 101-91-21

Referred to Board

[California Pacific Hospital]

Resolution urging the management of the California Pacific Medical Center to recognize the Collective Bargaining Agreement between registered nurses at the California campus that was formerly Children's Hospital, and urging California Pacific management to work toward a fair resolution to the labor dispute which has existed since June between the California Nurses Association and California Pacific Medical Center. (Supervisors Shelley, Alioto, Migden, Gonzalez, Ward, presented.) Referred to Board November 4, 1991, For Adoption Without Committee Reference Calendar.

File 176-91-4

[Hastings College of the Law]

Resolution urging Hastings College of the Law to develop a working relationship with community groups in order to allow them input in the development plans for the west block property. (Supervisors Shelley, Achtenberg, Gonzalez presented.) Referred to Board November 4, 1991, For Adoption Without Committee Reference Calendar.

File 196-91-1

[Shipbuilding]

Resolution supporting Federal legislation that would enact "The Shipbuilding Trade Reform Act of 1991, and urging members of the San Francisco Congressional Delegation to support H.R. 2056. (Supervisor Gonzalez presented.) Referred to Board November 4, 1991, For Adoption Without Committee Reference Calendar.

File 13-91-29

[Neighborhood Emergency Response Training]

Resolution urging the Mayor to extend San Francisco's Neighborhood Emergency Response Training (NERT) Program on a citywide basis and provide funding from the Earthquake Emergency Fund. (Supervisor Kennedy presented.) Referred to Board November 4, 1991, For Adoption Without Committee Reference Calendar.

File 270-91-6

Monday, October 28, 1991

[Embarcadero Roadway Traffic Improvements]

Resolution declaring it the policy of the City and County to restore traffic flow in the northern waterfront; supporting immediate repaving of the Embarcadero Roadway; urging the Mayor to urge the Department of Public Works to develop an Embarcadero Plan with four lanes of traffic in either direction south of Broadway. (Supervisor Maher presented.) Referred to Board November 4, 1991, For Adoption Without Committee Reference Calendar.

File 272-91-5.2

Referred to Committee

[Downtown Childcare]

Resolution urging the Mayor to take all steps necessary to cause the Washington and Drumm Street Pump House site to be developed into a childcare center, a children's playground and other uses that address the needs of children and families who live or work in or near downtown San Francisco, and further urging the Mayor to undertake specific analyses and tasks in furtherance of these proposed uses. (Supervisor Achtenberg presented.) Referred to City Services Committee.

File 252-91-1

[Grant - Federal Funds]

Resolution requesting an extension from the California Department of Commerce of the completion date for work under a \$50,000 grant to the City and County of San Francisco for marketing in neighborhood commercial corridors. (Supervisor Hallinan presented.) Referred to Finance Committee.

File 68-90-20.1

[Reinstatement of Parking Rates]

Resolution reinstating special Sunday parking rates at the Sutter-Stockton Parking Garage. (Supervisor Gonzalez presented.) Referred to Economic and Social Policy Committee.

File 47-91-15

[Temporary Street Space Deposit Requirement]

Resolution urging the Mayor to urge the Chief Administrative Officer to direct the Department of Public Works to accept a Security Bond in lieu of a cash deposit as provided for in Article 15, Section 724.3 of the Public Works Code. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 123-91-2

Monday, October 28, 1991

Requests for Hearings

File 47-91-16, By Supervisor Ward: To consider parking facilities for commercial and sport fisherman at Fisherman's Wharf. Referred to Economic and Social Policy Committee.

File 78-91-2, By Supervisor Britt: To consider amending the Catastrophic Illness Sick Leave Transfer requirements by deleting the criteria, "Such illness or injury prevents the employee from returning to work for at least 30 days." Referred to Economic and Social Policy Committee.

File 173-91-8, By Supervisor Alioto: To consider the Port of San Francisco's unprecedented 3.5 million dollar deficit in fiscal year 1990-91, and requesting the Director of Port attend this hearing to discuss, among other issues, how legal fees went "100 percent over budget". Referred to Finance Committee.

File 193-91-9, By Supervisor Gonzalez: To consider renaming the Folsom Playground to "Jose Coronado Playground." Referred to City Services Committee.

Motion

Referred to Committee

[Time Extension]

Motion extending to November 20, 1991, the deadline for the Economic and Social Policy Committee to consider the imposition of interim zoning controls for a period of 12 months the approval of permits establishing new adult entertainment enterprises in Northern Waterfront Special Use District No. 2. (Supervisor Shelley presented.) Referred to Economic and Social Policy Committee.

File 111-91-2.2

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-91-61. [Settlement of Lawsuit] Authorizing settlement of litigation of Yolanda Terry against the City and County of San Francisco by payment of \$12,000. (City Attorney). Administration and Oversight.

File 45-91-62. [Settlement of Lawsuit] Authorizing settlement of litigation of Helen Hendricks against the City and County of San Francisco by payment of \$17,441.76. (City Attorney) Administration and Oversight.

File 97-91-55. [Agriculture] Amending Administrative Code by amending Section 9A.7 thereof, changing the fees charged for the sale of agricultural products at the Farmers' Market. (Department of Agriculture and Weights and Measures) Finance.

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File 101-91-20. [Government Funding] Appropriating \$17,671, Municipal Railway, for permanent salaries, mandatory fringe benefits, for the creation of one position (Classification 1771 Media Production Specialist); companion measure to File 102-91-9. (Controller) Finance.

File 102-91-9. [Public Employment] Amending Annual Salary Ordinance, 1991-92, Municipal Railway, reflecting the addition of one position (Classification 1771 Media Production Specialist); companion measure to File 101-91-20. (Civil Service Commission) Finance.

File 250-91-1. [Fire Alarm System Permit] Granting a permit to Simplex Time Recorder Company to connect such auxiliary fire alarm systems as may be approved by the General Manager, Department of Electricity, to the Municipal Fire Alarm System and to maintain the same in electrical-mechanical connection therewith through the medium of master fire alarm boxes and stipulating the conditions, restrictions and requirements under which the said permit is granted. (Chief Administrative Officer) City Services.

Resolutions Referred to Committee

File 10-91-7. [Permit] Granting revocable permission to Markborough California Properties, Inc., to install a P.G. & E. transformer vault under the Mission Street side of 101 Second Street (Block 3721, Lot 89), and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works) City Services.

File 40-91-7. [Parking of Vehicles] Extending the boundaries of Residential Permit Parking Area "J" in the Parnassus Heights area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Economic and Social Policy.

File 40-91-8. [Parking of Vehicles] Extending the boundaries of Residential Permit Parking Area "G" in the Pacific Heights area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Economic and Social Policy.

File 40-91-9. [Parking of Vehicles] Extending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Economic and Social Policy.

File 40-91-10. [Parking of Vehicles] Extending the boundaries of Residential Permit Parking Area "O" in the West Portal/St. Francis Wood area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Economic and Social Policy.

File 61-91-3. [Contract Award Extension] Granting extension of time for awarding Hetch Hetchy Contract No. HH-830, San Joaquin Pipeline No. 2, Repair Mortar Lining, Segment II. (Public Utilities Commission) Finance.

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File 61-91-4. [Contract Award Extension] Granting extension of time for awarding Hetch Hetchy Water and Power Contract No. HH-828R, Moccasin Penstock Saddle Replacement. (Public Utilities Commission) Finance.

File 138-91-3.1. [Grant - State Funds] Authorizing the District Attorney of the City and County of San Francisco to apply for, accept and expend additional funds in the amount of \$21,030 previously approved by Resolution No. 556-91 (File No. 138-91-3) made available through the Office of the Attorney General for the operation of a project entitled "Child Victim Witness Investigative Pilot Project", for the twelve month period July 1, 1991 through June 30, 1992; companion measure to File 138-91-3. (Mayor) Finance.

File 143-91-4. [Grant Application, Acceptance, and Request to Expend] Authorizing the Police Department to apply for, accept and expend a grant from the California Office of Traffic Safety for "Public Awareness, Education, and Enforcement"; providing ratification of actions previously taken. (Police Commission) Finance.

File 156-91-4. [Federal Funding] Approving revisions to the Refugee County Plan previously approved by this Board and of dollar allocations reflected in it. (Private Industry Council) Finance.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that the City Attorney prepare legislation that will establish a \$1,000 limit on Friends Committee contributions per year per donor and prohibit the use of Friends Committee funds once the elected official has filed papers with the Registrar of Voters to declare his or her intent to run for elected office and establish a finance account to raise money for that campaign.

By Supervisor Britt, that the City Attorney prepare legislation to amend the Catastrophic Illness Sick Leave Transfer requirements by deleting the criteria, "Such illness or injury prevents the employee from returning to work for at least 30 days."

By Supervisor Gonzalez, that the City Attorney prepare legislation to institute a moratorium on the installation of additional public telephones in the Mission District, due to the aggravated drug problem and their use for drug-trafficking.

By Supervisor Gonzalez, that the City Attorney prepare legislation to rename the "Folsom Playground" to "Jose Coronado Playground".

By Supervisor Kennedy, that letter be sent to the Department of Parking and Traffic inquiring into the feasibility of placing speed bumps on Hickory Street. With the closure of the Central Freeway, drivers travel down Buchanan Street, turn onto Hickory Street in an effort to miss two stop lights and to get ahead of the other drivers

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on Oak Street. The drivers are using Hickory Street and a speedway which is a dangerous situation since Hickory Street narrows as you come to the end at Laguna Street.

By Supervisor Kennedy, that letter be sent to the San Francisco Shakespeare Festival for their achievements thus far, especially for bringing to our 300 schools the culture and entertainment of the theatre; and for the achievement of nine consecutive debt-free years of Free Shakespeare In the Park Productions.

By Supervisor Kennedy, that letter be sent to the Department of Social Services and Department of Public Health inquiring about the status of AB 548/9 funds. The Supervisor specifically would like to know: 1) Have we received the funds? 2) Were the funds allocated? 3) If the funds were allocated, to whom were they allocated?

By Supervisors Migden, Achtenberg, Alioto, Britt, Gonzalez, that letter be sent to General Manager, Municipal Railway and President, Public Utilities Commission, inquiring about arrangements for City buses to transport people at a reduced rate to the Reverend Larry Lea's Halloween Night Breakthrough Church Services at Candlestick Park. Specifically; why are reduced MUNI rates being offered for this private venture, particularly to an organization reputed to be homophobic and racist?

By Supervisor Shelley, that the City Attorney provide an opinion on whether lead abatement measures could be included in the health and safety upgrades provided for in AB 1001 (Brown), just chaptered, which allows cities and counties to place general obligation bonds for seismic strengthening on the ballot, and which covers health and safety upgrades which might be required in the course of the strengthening.

By Supervisor Shelley, that the City Attorney provide an opinion on whether legislation is required to implement AB 1755 (Speier), just chaptered, which allows the City Attorney to more aggressively pursue nuisance abatement cases, aiding the prosecution of crack houses.

By Supervisor Shelley, that letter be sent to the Controller inquiring whether action by the Board is required to allow the City and County of San Francisco to opt into receiving reimbursement from the Federal government for case management services when they use their own general funds as the State match for Federal funds, as described in the just chaptered SB 910 (McCorquodale).

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Bill Graham (Entire Board)
Segall Livnah (Supervisor Ward)
Lonnie Carter (Supervisor Kennedy)
Roger Keating Adams (Supervisor Alioto)

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File 2-91-43

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:19 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 3, 1992.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, November 4, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:14 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Noted absent at first roll call:

Supervisors Alioto, Maher - 2.

Quorum present.

Supervisor Alioto was noted present at 2:21 p.m.

Supervisor Maher was noted present at 2:24 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Gonzalez, seconded by Supervisor Britt, moved that the Journal of Proceedings for Tuesday, February 19, 1991, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Alioto, Maher - 2.

Presentation of Guests

Supervisor Kennedy introduced and presented Certificates of Honor to Coroner and staff, Dr. Boyd Stephens, Alan Kingle, Allen

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Collins, Donald Earling, Dan Halen, David Mamum and Clint McNora on behalf of the Board of Supervisors recognizing the work they have done on behalf of the City and County of San Francisco.

President Doris M. Ward presented and welcomed Mayor Art Agnos and members of the African National Congress, Mr. Rambos, Mr. Cumbata, Chief of the African National Congress, Washington, D.C. and Mr. Cycil Ramposo from the African National Congress.

Suspension of the Rules

There being no objection, on motion by President Doris M. Ward, seconded by Supervisor Kennedy, the rules were suspended to allow the representatives of the African National Congress the privilege of the floor to address the Board.

The Board thereupon resumed its consideration of the following calendared items.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Hsieh requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Administration and Oversight Committee

Finally Passed

[Settlement of Attorney's Fees Claim]
Ordinance authorizing settlement of attorney's fees claim against the City and County by payment of \$198,000. (City Attorney)

File 48-91-8, Ordinance No. 394-91

(U.S. District Court No. C84-6899 TEH;
(U.S. Court of Appeals for the Ninth Circuit 85-2420).

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Monday, November 4, 1991

Finally passed

[Government Funding]

Ordinance appropriating \$35,359, Superior Court, for fees and other compensation; for Fiscal Year 1991-92. (Controller)

File 101-91-19, Ordinance No. 397-91

Finally passed.

[Public Health Contracts]

Ordinance amending Administrative Code, to permit the Department of Public Health to enter into agreements with the Westside Community Mental Health Center enabling the Department of Public Health to provide medical services. (Department of Public Health)

File 97-91-53, Ordinance No. 396-91

(Adds Section 19A.26)

Finally passed.

Adopted

[Contract]

Resolution concurring with the Controller's certification that security services for Residential Permit Parking Program office at 370 Grove Street and the parking lot at Seventh and Harrison Streets can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Department of Parking and Traffic)

File 25-91-31, Resolution No. 971-91

Adopted.

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Maria Olivia Castro against the City and County by payment of \$22,000. (City Attorney)

File 45-91-58, Ordinance No. 392-91

(Superior Court No. 909-432.)

Finally passed.

Monday, November 4, 1991

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Jon Lentz against the City and County by payment of \$25,000. (City Attorney)

File 19-91-59, Ordinance No. 393-91

(Superior Court No. 914-413.)

Finally passed.

Recommendations of Administration and Oversight
and Finance Committees

Finally Passed

[Sidewalk]

Ordinance amending Public Works Code, requiring abutting owners to maintain safe condition and establishing liability in tort for failing to maintain in a safe condition. (Department of Public Works)

File 123-91-1, Ordinance No. 398-91

(Amends Section 706.)

(Fiscal Impact.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Alioto, Maher - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Adopted

[Findings]

Motion adopting findings for the approval of a Conditional Use of property at 1495 - 42nd Avenue, Lot 17 in Assessor's Block 1811.

File 37-91-7.4

Monday, November 4, 1991

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 10.

Noes: Supervisor Hsieh - 1.

Recommendation of Finance Committee

Finally Passed

[Stow Lake Lease]

Ordinance approving a fifteen-year lease with Stow Lake Corporation for establishing and operating a boat rental, bicycle rental and snack bar concession at Stow Lake, Golden Gate Park. (Recreation and Park Department)

File 62-91-5, Ordinance No. 395-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Appointment of President Pro Tempore

At the request of the President, the following Supervisors assumed the chair at various times:

Supervisor Terence Hallinan;
Supervisor Jim Gonzalez;
Supervisor Willie Kennedy.

From Department of Public Works

Question Divided; Adopted as Amended

[Residential Hotel Conversion]

Resolution confirming Report of Delinquent charges for insufficient filing of Annual Unit Usage Report and for failure to file Annual Unit Usage Report submitted by the Superintendent of the Bureau of Building Inspection, as modified to the date of adoption of this resolution and creating special assessments and liens based thereon.

File 113-91-2.1, Resolution No. 974-91

<u>(Property</u>	<u>Amount</u>
((438 O'Farrell Street	\$1,048.05))
136 - 6th Street	1,048.05
((520 Jones Street	607.50.)))

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At the request of Supervisor Hsieh, the question was divided with respect to 520 Jones Street, so that matter could be considered separately.

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to amend the report to delete 438 O'Farrell Street.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

The President reassumed the Chair.

Adopted as Divided

Resolution confirming Report of Delinquent Charges for insufficient filing of Annual Unit Usage Report and for failure to file Annual Unit Usage Report submitted by the Superintendent of the Bureau of Building Inspection, as modified to the date of adoption of this resolution and creating special assessments and liens based thereon.

File 113-91-2.2, Resolution No. 975-91

<u>(Property</u>	<u>Amount</u>
520 Jones Street	607.50.)

Suspension of the Rules

Supervisor Hsieh, seconded by Supervisor Alioto, moved to suspend the rules to allow the privilege of the floor to the representative of 520 Jones Street.

Motion to suspend the rules refused adoption by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Noes: Supervisor Maher - 1.

Absent: Supervisor Ward - 1.

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Adopted as divided by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley, Ward - 8.

Noes: Supervisors Hsieh, Kennedy, Maher - 3.

Supervisor Britt, seconded by Supervisor Hsieh, moved to rescind the vote on 520 Jones Street.

Motion to rescind adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Public Hearing Reconvened

Supervisor Ward, seconded by Supervisor Hsieh, moved to reopen the public hearing to allow the attorney for the appellant of 520 Jones Street to address the Board.

Motion to reopen the hearing adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

The privilege of the floor was granted to the following person:

Elizabeth Grayson, representing property owner.

There being no one else present desiring to speak the President declared the public hearing on this item closed.

Supervisor Hsieh, seconded by Supervisor Kennedy, moved to delete 520 Jones Street from the Report on Delinquent Charges.

Motion to delete 520 Jones Street refused adoption by the following vote:

Ayes: Supervisors Hallinan, Hsieh, Kennedy, Maher, Ward - 5.

Noes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Migden, Shelley - 6.

The roll was then called on the pending resolution and it was adopted as divided by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley, Ward - 8.

Noes: Supervisors Hsieh, Kennedy, Maher - 3.

Monday, November 4, 1991

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Sale of Property]

Ordinance authorizing conveyance of a 2'x 60' strip of land over Water Department's Bay Division Pipeline Right-Of-Way in San Mateo County pursuant to settlement approved by Public Utilities Commission - \$32,500. (Real Estate Department)

File 96-91-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

Adopted

[Award of Lease]

Resolution accepting bid of City Parking Company in response to call for bids for lease of Polk-McAllister Parking Lot and awarding said lease to said bidder as the highest and best responsible bidder. (Real Estate Department)

File 47-91-11.1, Resolution No. 969-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Lease of Property]

Resolution authorizing extension of an existing lease of real property at 1625 Van Ness Avenue for the Department of Social Services, Child Welfare Division; effective retroactive to July 1, 1991. (Real Estate Department)

File 64-91-31, Resolution No. 972-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

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Adopted as Amended

[Bond Approval]

((Resolution of the Board of Supervisors of the City and County of San Francisco relating to the financing of a project at the facilities of Irwin Memorial Blood Centers not to exceed ten million dollars (\$10,000,000).)) (Mayor's Office of Business and Economic Development)

Resolution authorizing the issuance of revenue bonds in an amount not to exceed \$10,000,000 to assist Irwin Memorial Blood Centers in expanding and improving their operations at 270 and 250 Masonic Avenue.

File 170-91-7, Resolution No. 976-91

Supervisor Achtenberg, seconded by Supervisor Hallinan, moved to amend title to read "authorizing the issuance of revenue bonds in an amount not to exceed \$10,000,000 to assist Irwin Memorial Blood Centers in expanding and improving their operations at 270 and 250 Masonic Avenue."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

Adopted

[Fee Schedule]

Resolution revising the fee schedule of the Department of Weights and Measures by ratifying the State Schedule of Fees, dated September 24, 1991. (Department of Agriculture and Weights and Measures)

File 249-91-1, Resolution No. 979-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

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Recommendations of Administration and Oversight
and Finance Committees

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

Adopted

[Salary and Wage Division]
Resolution authorizing Civil Service Commission to expend funds to conduct the 1992-93 Salary Survey. (Civil Service Commission)

File 106-91-5, Resolution No. 973-91

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Migden, Ward - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of appeal from the decision of the City Planning Commission by its Motion No. 13139, dated August 1, 1991, approving Conditional Use Application No. 91.292C, authorizing the amendment of a previous conditional use authorization as set forth in City Planning Commission Motion No. 8816 allowing transfer of ownership of an existing nonconforming automotive repair operation to a new party for property within both an RH-3 and RH-2 District of property located at 259 Frederick Street.

File 37-91-6

(Appeal filed August 30, 1991.)

(Categorically exempt from environmental review.)

The President inquired if there was anyone present who wished to speak.

The privilege of the floor was granted to the following persons:

David Nevin, 212 Frederick Street, appellant
Rick Gladstone, 177 Post Street, representing owner
proponent
Pamela Pierce, 274 Frederick Street, friend of appellant
Robert Passmore, Department of City Planning

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There being no one else present wishing to speak, the President declared the public hearing closed.

From the Clerk

Tabled

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13139, dated August 1, 1991, approving Conditional Use Application No. 91.292C, for conditional use authorization of property at 259 Frederick Street.

File 37-91-6.1

Supervisor Hallinan, seconded by Supervisor Britt, moved to table.

Motion to table adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted as Amended

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13139, dated August 1, 1991, approving Conditional Use Application No. 91.292C, for a conditional use authorization of property at 259 Frederick Street and granting a conditional use permit subject to conditions imposed by the Board of Supervisors.

File 37-91-6.2

Supervisor Hallinan, seconded by Supervisor Britt, moved to amend by disapproving decision of the City Planning Commission by its Motion No. 13139, approving Application No. 91.292C for conditional use of property at 259 Frederick Street and approving granting a conditional use permit subject to conditions imposed by City Planning Commission and other conditions imposed by the Board of Supervisors.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Monday, November 4, 1991

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed conditional use of property at 259 Frederick Street, for action by the Board at its next meeting.

File 37-91-6.3

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

PUBLIC COMMENT

The President inquired if anyone present wished to speak.

There being no response, the President declared the Public Comment portion concluded.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) vote in favor of suspending the rule regarding reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Hsieh requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

(Supervisor Hsieh excused from voting.)

[California Pacific Hospital]

Resolution urging the management of the California Pacific Medical Center to recognize the Collective Bargaining Agreement between registered nurses at the California campus that was formerly Children's Hospital, and urging California Pacific management to work toward a fair resolution to the labor dispute which has existed since June between the California Nurses Association and California Pacific Medical Center. (Supervisors Shelley, Alioto, Migden, Gonzalez, Ward, Achtenberg)

File 176-91-4, Resolution No. 977-91

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Supervisor Hsieh Excused From Voting

On advise of the City Attorney, Supervisor Hsieh requested to be excused from voting because of possible conflict of interest.

Thereupon, there being no objection, on motion by Supervisor Gonzalez, seconded by Supervisor Maher, Supervisor Hsieh was excused from voting.

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisor Maher - 1.

Excused: Supervisor Hsieh - 1.

Supervisor Maher requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Tabled

[Embarcadero Roadway Traffic Improvements]
Resolution declaring it the policy of the City and County to restore traffic flow in the northern waterfront; supporting immediate repaving of the Embarcadero Roadway; urging the Mayor to urge the Department of Public Works to develop an Embarcadero Plan with four lanes of traffic in either direction south of Broadway. (Supervisor Maher)

File 272-91-5.2, Resolution No.

(October 28, 1991 - Introduced in Board for consideration on November 4, 1991.)

Supervisor Maher, seconded by Supervisor Kennedy, moved to table.

Motion to table adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

The Board resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference

Adopted

[Shipbuilding]

Resolution supporting Federal legislation that would enact "The Shipbuilding Trade Reform Act of 1991", and urging members of the San Francisco Congressional Delegation to support H.R. 2056. (Supervisor Gonzalez)

File 13-91-29, Resolution No. 970-91

(October 28, 1991 - Introduced in Board for consideration on November 4, 1991.)

Adopted.

[Hastings College of the Law]

Resolution urging Hastings College of the Law to develop a working relationship with community groups in order to allow them input in the development plans for the west block property. (Supervisors Shelley, Achtenberg, Gonzalez)

File 196-91-1, Resolution No. 978-91

(October 28, 1991 - Introduced in Board for consideration on November 4, 1991.)

Adopted.

[Neighborhood Emergency Response Training]

Resolution urging the Mayor to extend San Francisco's Neighborhood Emergency Response Training (NERT) Program on a citywide basis and provide funding from the Earthquake Emergency Fund. (Supervisor Kennedy)

File 270-91-6, Resolution No. 980-91

(October 28, 1991 - Introduced in Board for consideration on November 4, 1991.)

Adopted.

[Condominium]

Motion approving final map of 101 Telegraph Hill Boulevard, 116-118 Alta Street and 345 Filbert Street, being a resubdivision of Lots 55, 56, 57 and 58 in Assessor's Block 105; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-28

(October 28, 1991 - Introduced in Board for consideration on November 4, 1991.)

Adopted.

Monday, November 4, 1991

[Condominium]

Motion approving final map of 3435 Clay Street, a condominium project, being a resubdivision of Lot 25, in Assessor's Block 1009; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-29

(October 28, 1991 - Introduced in Board for consideration on November 4, 1991.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-44, Resolution No. 961-91

(Henry Berman, member, Fire Commission, November 9 - 15; Lenore Chinn, member, Human Rights Commission, December 9 - 15; Donald Dickinson, County Clerk/Executive Officer, October 19 - 23; Leonard Graff, member, Human Rights Commission, November 1 - 17; Pierre Ludington, member, Health Commission, October 24 - November 3, November 6 - 10 and November 26 - December 8; Michael Huerta, Director, Port, October 12 - 18; Leni Marin, member, Commission on the Status of Women, October 23 - 28, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Monday, November 4, 1991

Adopted

[State Water Reclamation Action Plan]

Resolution endorsing the findings of the Reclamation/Reuse Task Force of the State Water Conservation Coalition; urging the adoption of the recommendations of the Task Force's Master Plan, including specific actions by the State and Federal Government; urging the City's lobbyists to advocate for the implementation of the stated recommendations.

File 12-91-48, Resolution No. 962-91

Supervisor Achtenberg presented for immediate adoption.

Adopted.

[Diamond Lanes - Post and Sutter Streets]

Resolution urging the Mayor to urge the Parking and Traffic Commission to urge the Director of the Department of Parking and Traffic to allow use of diamond lanes by automobiles on Post Street between the hours of 9:00 A.M. - 4:00 P.M. and Sutter Street between the hours of 6:00 P.M. - 7:00 A.M., Monday through Friday.

File 20-91-21, Resolution No. 963-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Davis Street, between Broadway and Vallejo Streets, on Tuesday, November 5, 1991, at 7:00 a.m. until 4:00 p.m. for filming of movie by Universal Pictures, Inc.

File 42-91-72, Resolution No. 964-91

Supervisor Ward presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Steuart Street, between Howard and Harrison Streets, on Saturday, November 9, 1991, from 6:00 a.m. to 6:00 p.m. (subject to applicant obtaining final approval from the Port Commission) for filming of movie "Back to the Streets of San Francisco.

File 42-91-73, Resolution No. 965-91

Supervisor Ward presented for immediate adoption.

Adopted.

Monday, November 4, 1991

[Street Closing]

Resolution authorizing temporary closing of a portion of Grove Street, (southernmost parking lane) between Van Ness Avenue and Franklin Street, on Monday, November 11, 1991 at 6:00 a.m. until Tuesday, November 12, 1991 at 10:00 a.m. for "Night of Entertainment" sponsored by UCSF Brain Tumor Research Center).

File 42-91-74, Resolution No. 966-91

Supervisor Ward presented for immediate adoption.

Adopted.

[Memorandum of Understanding]

Resolution ratifying Wage Freeze Memorandum of Understanding With International Federation of Professional and Technical Engineers, Local No. 21, AFL-CIO.

File 93-91-19, Resolution No. 967-91

Supervisor Gonzalez presented for immediate adoption.

Adopted.

[Condor Breeding Program]

Resolution supporting participation in a program of Captive Breeding of California Condors.

File 193-91-10, Resolution No. 968-91

Supervisor Migden presented for immediate adoption.

Adopted.

Adopted

[Time Extension]

Motion extending to November 20, 1991, the deadline for the Economic and Social Policy Committee to consider the imposition of interim zoning controls for a period of 12 months on the approval of permits establishing new adult entertainment enterprises in Northern Waterfront Special Use District No. 2.

File 111-91-2.3

Supervisor Shelley presented for immediate adoption.

Adopted

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Monday, November 4, 1991

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Kennedy, Shelley, Ward - 7.

Absent: Supervisors Alioto, Hsieh, Maher, Migden - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Government Funding]

Ordinance appropriating \$50,000 for other services (Surrender of Firearms Program), Police Department for fiscal year 1991-92. (Supervisor Kennedy presented.) Referred to Finance Committee with request it be considered at the November 6, 1991, meeting.

File 101-91-24

[Building Permit Fees]

Ordinance amending Part II, Chapter 1 of the San Francisco Municipal Code (Building Code) by adding Section 335 thereto to provide that the owners of property in the 1700 and 1800 blocks of Eighth Avenue shall be subject to the Building Permit Fee Schedule in effect on June 30, 1991 with respect to repairs or reconstruction of properties damaged in the Loma Prieta Earthquake; this section shall expire in one year from its effective date. (Supervisor Shelley presented.) Referred to Economic and Social Policy Committee.

File 114-91-13

[Access to Health Care Facilities]

Ordinance amending Part II, Chapter VIII of the San Francisco Municipal Code (Police Code) by adding Section 259.5 thereto, prohibiting obstruction of access to health care facilities and limiting unnecessary, excessive, or offensive noise adjacent to health care facilities. (Supervisors Shelley, Achtenberg, Alioto, Hallinan, Hsieh, Migden, Ward presented.) Referred to City Services Committee.

File 121-91-12

[Business Tax Registration Certificates]

Ordinance amending Chapter 1 of Part III (Miscellaneous) of the San Francisco Municipal Code by amending Section 26(b) and by adding Section 41 to require all departments to require Business Tax Registration Certificate numbers from all contractors and subcontractors for permits and Certificates of Final Completion related to building or construction and to prescribe penalties for failure to make disclosures of contractors and subcontractors;

Monday, November 4, 1991

amending the San Francisco Building Code by amending Section 302(a)1. to reference requirement in Municipal Code for identity of and Business Tax Registration Certificates numbers of all subcontractors upon application for permit construction; amending the San Francisco Building Code by amending Section 307 (d & g) to reference requirement in Municipal Code for identity of and Business Tax Registration Certificates numbers of all subcontractors upon application for issuance of a Temporary Certificate of Completion or Certificate of Final Completion; amending the San Francisco Electrical Code by amending Section 302(a) to reference requirement in Municipal Code for identity of and Business Tax Registration Certificates numbers of all subcontractors upon application for issuance of a permit; amending the San Francisco Plumbing Code by amending Section 30.6 to reference requirement in Municipal Code for identity of and Business Tax Registration Certificates numbers of all subcontractors upon application for issuance of a permit. (Supervisor Gonzalez presented.) Referred to City Services Committee.

File 114-91-12

[Approving Contract]

Resolution authorizing the Public Utilities Commission to enter into a contract with Breda Costruzioni Ferroviarie S.p.A. for an amount not to exceed \$82,087,695 for the manufacture of thirty-five Light Rail Vehicles. (Supervisor Shelley presented on behalf of Public Utilities Commission.) Referred to Finance Committee with request it be considered at the November 6, 1991, meeting.

File 172-91-18

Referred to Board

[Military's Anti/Gay/Lesbian Policies]

Resolution expressing support for the efforts of the Veterans Affairs Council in its investigation of the impacts of U.S. Military discrimination on the basis of sexual orientation; requesting the Budget Analyst to provide information regarding the economic impact of this discriminatory military policy upon San Francisco; conveying to federal officials the Board's desire that these officials change their policies by eliminating discrimination based on sexual orientation in the military and with regard to veterans. (Supervisor Achtenberg presented.) Referred to Board November 12, 1991, For Adoption Without Committee Reference Calendar.

File 253-91-1

Requests for Hearings

File 101-91-18.1, By Supervisor Gonzalez: To consider release of reserved funds, Retirement System, in the amount of \$1,388,103, for temporary salaries, overtime, mandatory fringe benefits, other contractual services, postage materials and supplies, and non-work order services of other departments - City Attorney in connection

Monday, November 4, 1991

with implementation of the early retirement program provided under Proposition A, November 1991 election. Referred to Finance Committee with request it be considered at the November 6, 1991, meeting.

Motions:

Referred to Committee

[Legislative Policy Analysts]
Motion directing the Clerk of the Board of Supervisors not to fill the currently vacant Legislative Policy Analyst positions; directing the Clerk to work with the Controller to prepare and submit amendments to the Annual Appropriation and Salary Ordinances that would delete these positions from City service and transfer back to the General Fund any remaining unexpended funds appropriated to the Legislative Policy Analysts and their operations;; and directing the Clerk to plan to return from the Board of Supervisors to the Chief Administrative Officer the office space and equipment assigned to the Legislative Policy Analysts. (Supervisor Hallinan presented.) Referred to Economic and Social Policy Committee.

File 54-91-2

Referred to Board

[Commercial Condominium Project]
Motion approving final map of 2301 Noriega Street, also known as The Sunset Building, a commercial condominium project, being a resubdivision of Lot 56, in Assessor's Block 2067; and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Hsieh presented.) Referred to Board November 12, 1991, for Adoption Without Committee Reference Calendar .

File 58-91-31

[Commercial Condominium Project]
Motion approving final map of 2323 Noriega Street, also known as The Sunset Building, a commercial condominium project, being a resubdivision of Lot 57, in Assessor's Block 2067; and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Hsieh presented.) Referred to Board November 12, 1991, for Adoption Without Committee Reference Calendar.

File 58-91-32

[Condominium Project] Motion approving final map of 1803 30th Avenue, also known as The Sunset Building, a condominium project, being a resubdivision of Lot 58, in Assessor's Block 2067; and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Hsieh presented.) Referred to Board November 12, 1991, for Adoption Without Committee Reference Calendar.

File 58-91-33

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Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 62-91-6. [War Memorial Concession Agreement] Approving the five year extension of the concession agreement between Restaura, Division of Dial Corporation, and the War Memorial Board of Trustees. (War Memorial and Performing Arts Center) Finance.

File 101-91-22. [Government Funding] Appropriating \$185,000, Port Commission, for judgements and claims. (Controller) Finance.

File 101-91-23. [Government Funding] Appropriating \$37,598, Police Department, for permanent salaries-miscellaneous and related mandatory fringe benefits, for the creation of one position; subject of previous budgetary denial; companion measure to File 102-91-10. RO #91102. (Controller) Finance.

File 102-91-10. [Public Employment] Amending Annual Salary Ordinance, 1991-92, Police Department, reflecting the addition of one position (Classification 5320 Illustrator and Art Designer); companion measure to File 101-91-23. (Civil Service Commission) Finance.

Resolutions Referred to Committee

File 23-91-4. [Claims Against the Government] Waiving the statute of limitations with respect to payment of certain warrants of the City and County of San Francisco, in the amount of \$95,682.96 a legal obligation of the City and County of San Francisco. (Controller) Finance.

File 28-91-13. [Airport Administration] Approving a declaration of emergency, electrical equipment failure Station "TR", San Francisco International Airports - \$90,000. (Airports Commission) Finance.

File 40-91-11. [Parking of Vehicles] Extending the boundaries of Residential Permit Parking Area "D" in the Glen Park area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Economic and Social Policy.

File 106-91-5. [Salary and Wage] Fixing highest generally prevailing wage rates, private employment on public contracts. (Civil Service Commission) Administration & Oversight.

File 133-91-5. [Grant - State Funds] Authorizing Chief Administrative Officer to apply for up to \$50,000 in grant funding from the California Department of Toxic Substance Control (DTSC) and providing for ratification of action previously taken. (Chief Administrative Officer) Finance.

File 146-91-57.1. [Grant - Federal Funds] Authorizing the Department of Public Health, Homeless Programs, to accept and expend a grant of \$550,000 which includes indirect costs in an amount of

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\$11,000, based on 2 percent of the total award, from the Department of Transportation through the Metropolitan Transit Commission, for outreach services to homeless persons in transit facilities. (Department of Public Health) Finance.

File 146-91-64.1. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of \$1,820,561, which includes indirect costs of \$205,899 based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the Epidemiologic Study of the Natural History of HIV/AIDS in Homosexual/Bisexual Men previously enrolled in studies of Hepatitis B Infection, to establish and finance Civil Service positions for the provision of these services. (Department of Public Health) Finance.

File 146-91-77. [Grant - Private Funds] Authorizing the Department of Public Health, Division of Mental Health, Substance Abuse and Forensic, to apply for a grant of \$600,000, which includes indirect costs in the amount of \$22,245, based on four percent of the grants personnel, office operations, travel and consulting costs, from the Robert Wood Johnson Foundation for data collection, outreach and case management, and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services. (Department of Public Health) Finance.

File 146-91-78. [Grant - Private Funds] Authorizing the Department of Public Health, Bureau of Health Promotion and Education, to apply for a grant of \$60,000 for two years, which includes indirect costs in the amount of \$12,000, based on twenty percent of the total award, from the Van Loben Sels Foundation for AIDS training for adult workers in the public and private sectors of San Francisco and to authorize the expenditure of grant funds to continue and finance Civil Service positions for the provision of these services. (Department of Public Health) Finance.

File 146-91-79. [Grant - State Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a continuing grant allocation of \$1,450,000, which includes no indirect costs, from the California State Department of Health Services for the continuation of the AIDS Drug Program for the residents of San Francisco. (Department of Public Health) Finance.

File 146-91-80. [Grant - State Funds] Authorizing the Department of Public Health, Central Office, Community Public Health and Community Mental Health Services, to accept and expend in Fiscal Year 1991-92 funds of up to \$823,196 which includes indirect costs in the amount of approximately \$135,033 based on 16% of the total award from the State Department of Health Services, State Legalization Impact Assistance Grant (SLIAG) for unreimbursed public health care costs of persons who are legalized pursuant to the provisions of the Immigration Reform and Control Act (IRCA), and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services. (Mayor) FINANCE.

File 146-91-81. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Services, Special Programs for Youth, as a sub-grantee, in collaboration with Northern

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California Pediatric AIDS Treatment Center as prime grantee, to accept and expend an allocation of \$221,437, which includes indirect costs in the amount of \$10,545 based on five percent of the total award, from the National Institute of Health National, Institute of Allergy and Infectious Disease, for establishing clinical trial subunits and health services for youth and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provisions of these services. (Department of Public Health) Finance.

File 148-91-12. [Grants - Federal and State Funds] Authorizing Director of Public Works to execute the necessary documents to apply for, accept and expend \$506,100 in Federal and State Funds for seismic retrofit of the six pedestrian overcrossing at Miraloma Drive (Portola) (Br. No. 34C-0039), Steiner Street (Geary) Br. No. 34C-0041), Jamestown Way (BR. No. 34C-0047), Harney Way (Br. No. 34C-0048), Army Street Circle (Br. No. 34C-0070) and Gilman Avenue (Br. No. 34C-0071). (Department of Public Works) Finance.

File 161-91-4.1. [Redevelopment Agency Budget and Bonds] Approving and authorizing an amendment to the Indebtedness Limitation Agreement between the Redevelopment Agency and the City and County of San Francisco for Fiscal Year 1991-92; companion measure to File 161-91-4. (Redevelopment Agency) Finance.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Gonzalez, Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward, that a letter be sent to the Recreation and Park Commission to inquire if they would hold a hearing to consider renaming "Speedway Meadows" in Golden Gate Park to "Bill Graham Meadows".

By Supervisors Gonzalez, Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward, that the City Attorney be requested to prepare legislation urging the Mayor to urge the Recreation and Park Commission to rename "Speedway Meadows" in Golden Gate Park to "Bill Graham Meadows".

By Supervisor Gonzalez, that a letter be sent to the General Manager of the San Francisco Municipal Railway inquiring whether they can respond to the attached citizen's petition urging the department not to reroute the 83 Pacific Bus, as this may cause unnecessary disruption in this residential neighborhood.

By Supervisor Gonzalez, that a letter be sent to the Director of the Parking and Traffic Department inquiring if the department would investigate a citizens' request to install speed bumps on 28th Avenue between Lincoln Way and Irving Street, due to a potential pedestrian hazard caused by the heavy vehicle traffic flow in that area.

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By Supervisor Shelley, that the City Attorney prepare legislation relating to a Comprehensive Lead Poisoning Prevention Act. (Provided for reference in the preparation of the legislation is a copy of a "State Model Law" drafted by the Alliance to End Childhood Lead Poisoning and several other state and local ordinance which should be used as references and resources.)

By Supervisor Shelley, that the City Attorney prepare legislation to provide a one-time only method for all City and County employees who participate in early retirement (should Prop. A pass) to deposit their unused sick leave in a Catastrophic Sick Leave Fund to be used by catastrophically ill City and County employees at a future date.

By Supervisor Migden, that a letter be sent to the Executive Director, Department of Parking and Traffic, inquiring about the feasibility of installing a stop sign on Hearst Avenue at Detroit Street and requesting appropriate background information.

By Supervisor Achtenberg, that the City Attorney prepare legislation that would allow City and County early retirees to donate their unvested accrued sick leave to the Catastrophic Leave Program.

By Supervisor Achtenberg, that a letter be sent to the Mayor, City Attorney and the Controller inquiring into the legal and fiscal impact of allowing City and County early retirees to donate their unvested accrued sick leave to the Catastrophic Leave Program.

Recess

At the request of President Ward, the Board recessed at the hour of 4:56 p.m. to convene in closed session pursuant to Government Code Section 54957 for the purpose of reviewing and instructing the Board members regarding personnel matters relating to the performance of the Clerk of the Board.

Reconvening of the Board

The Board, at the hour of 5:23 p.m., reconvened.

ADJOURNMENT

There being no further business, the Board at the hour of 5:24 p.m. adjourned.

Jean C. Lum, Acting Clerk

Monday, November 4, 1991

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 9, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors



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Tuesday, November 12, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday November 12, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Ward - 6.

Noted absent at first roll call:

Supervisors Alioto, Britt, Hsieh, Maher, Shelley - 5.

Quorum present.

Supervisor Alioto was noted present at 2:18 p.m.

Supervisor Britt was noted present at 2:18 p.m.

Supervisor Hsieh excused. (See infra.)

Supervisor Maher excused, on official leave of absence.

Supervisor Shelley excused, on official leave of absence.

Supervisor Hsieh Excused

The President announced that Supervisor Hsieh requested to be excused from attending today's meeting.

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to excuse Supervisor Hsieh from attending today's meeting.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Ward - 6.

Absent: Supervisors Alioto, Britt, Hsieh, Maher, Shelley - 5.

Tuesday November 12, 1991

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Migden, moved that the Journal of Proceedings for Monday, February 24, 1991, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Ward - 6.

Absent: Supervisors Alioto, Britt, Hsieh, Maher, Shelley - 5.

Presentation of Guest

Supervisor Hallinan introduced and presented Mr. Patty Joe Hill of the Birmingham Six who spent 16 1/2 years in prison before the British Courts released him.

Suspension of the Rules

Supervisor Kennedy, seconded by Supervisor Hallinan, moved that the rules be suspended to allow Mr. Hill of the Birmingham Six the privilege of the floor and the opportunity to address the Board.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

Mr. Hill gave a brief message.

The Board thereupon resumed its consideration of the following calendared items.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

{Sale of Property}
Ordinance authorizing conveyance of a 2'x 60' strip of land over Water Department's Bay Division Pipeline Right-Of-Way in San Mateo County pursuant to settlement approved by Public Utilities Commission - \$32,500. (Real Estate Department)

File 96-91-3, Ordinance No. 400-91

Finally passed.

Tuesday November 12, 1991

The foregoing item on the Consent Calendar was acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Adopted as Amended

[Findings]

Motion adopting findings for the approval of a Conditional Use of property at 259 Frederick Street with additional conditions (Lots 90 and 90B in Assessor's Block 1269).

File 37-91-6.4

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to amend page two, beginning on line 18, to insert before "Mr. Meyer" the following: "In light of these competing concerns,"; amend page two, line 24, to insert after "use" the following: "and prohibit the transfer of the operations to Mr. Yee"; and amend page two, line 29, to insert after "operate" the following: "and be transferable to a new operator only". Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

NEW BUSINESS

Recommendations of Finance Committee

Tuesday November 12, 1991

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$20,284,076, Municipal Railway, to purchase thirty-five (35) light rail vehicles (LRV), for fiscal year 1991-92; (Controller)

File 101-91-21, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

Adopted

[LRV Manufacturer]

Resolution urging the Mayor to urge the Public Utilities Commission to make all efforts possible to have the proposed manufacturer of the next group of light rail vehicles for the Municipal Railway, Breda Costruzioni Ferroviarie S.p.A., open an assembly plant in San Francisco to provide for final assembly of the next group of light rail vehicles in San Francisco; urging the Mayor to become personally involved in the negotiations with Breda, or to appoint a high-level designee; and further urging that the General Manager of Public Utilities also participate in the negotiations. (Finance Committee)

File 172-91-18.1, Resolution No. 1004-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

[Approving Contract]

Resolution authorizing the Public Utilities Commission to enter into a contract with Breda Costruzioni Ferroviarie S.p.A. for an amount not to exceed \$82,087,695 for the manufacture of thirty-five light rail vehicles; companion measure to Files 101-91-21 and 172-91-18.1. (Supervisor Shelley)

File 172-91-18, Resolution No. 985-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

Tuesday November 12, 1991

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$50,000, Police Department, for other services (Surrender of Firearms Program), for fiscal year 1991-92; providing for ratification of action previously taken. (Controller)

File 101-91-24, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

Adopted

[Emergency Repair]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work at the cost of \$160,608, to restore the integrity of the boilers in the Civic Center Power House. (Department of Public Works)

File 28-91-12, Resolution No. 955-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

[Memorandum of Understanding]

Resolution authorizing the execution of a Memorandum of Understanding between the City and County and the State of California Department of Social Services which shall provide funding in the amount of \$224,626 to the City and County for providing Foster Family Home Licensing Services for fiscal year 1991-92, commencing retroactive to July 1991. (Department of Social Services)

File 93-91-18, Resolution No. 982-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

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[Grant - State Funds]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services to accept and expend a subvention up to the amount of \$54,153, which excludes indirect costs, from the State of California, Department of Alcohol and Drug Programs to continue the development of a five-year drug and alcohol abuse plan which will combine the drug and alcohol components to the extent possible under the terms and provisions of Senate Bill No. 2599, Seymour, which amends Section 11751.4 of and adds Division 10.6 to the Health and Safety Code; waiving indirect costs; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-72, Resolution No. 996-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services to accept and expend a continuation augmentation to a grant up to the amount of \$2,701,134, which excludes indirect costs, from the United States Department of Health and Human Services/Alcohol, Drugs and Mental Health Administration/Office for treatment improvement through the State of California, Department of Alcohol and Drug Programs to enhance existing drug abuse treatment programs in order to provide services to critical populations; waiving indirect costs; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-73, Resolution No. 997-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to apply for, accept and expend a grant of \$482,018, which includes indirect costs of \$49,735 based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to fund the Evaluation and Enhancement of HIV/AIDS Prevention Street and Community Outreach Programs that serve youth in High-Risk Situations Project and to establish and finance civil service positions for the provision of these services for the

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residents of San Francisco; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-74, Resolution No. 998-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services-Special Programs for Youth, to accept and expend as subgrantee a grant of \$30,000, which does not include any indirect costs from Larkin Street Youth Center as prime grantee from the U.S. Department of Health and Human Services/Office of Human Development Services, for the provision of health care services for San Francisco's Homeless and Runaway Youth, and to authorize the expenditure of grant funds to continue financing civil service positions for the provision of these services; waiving indirect costs; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-75, Resolution No. 999-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

[Grant - Private Funds]

Resolution authorizing the Department of Public Health, Division of Mental Health, Substance Abuse and Forensic, to apply for a grant of \$600,000, which includes indirect costs in the amount of \$20,022, based on four percent of the grants personnel, office operations, travel and consulting costs, from the Robert Wood Johnson Foundation for data collection, outreach and case management, and to authorize the expenditure of grant funds to establish and finance civil service positions for the provision of these services. (Department of Public Health)

File 146-91-77, Resolution No. 1000-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

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[Grant - Private Funds]

Resolution authorizing the Department of Public Health, Bureau of Health Promotion and Education, to apply for a grant of \$164,900 for two years, which includes indirect costs in the amount of \$25,186, based on twenty percent of the total salaries and fringes, from the Van Loben Sels Foundation for AIDS training for adult workers in the public and private sectors of San Francisco and to authorize the expenditure of grant funds to continue and finance civil service positions for the provision of these services. (Department of Public Health)

File 146-91-78, Resolution No. 1001-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

The Chair announced that the Board would take a brief recess in order for Court Reporter to set up equipment.

Reress

The Board at the hour of 2:41 p.m., recessed.

Reconvening of the Board

The Board, at the hour of 3:12 p.m., reconvened with Supervisor Kennedy in the Chair.

Calling the Roll

The meeting was called to order at 3:12 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Kennedy, Migden - 6.

Noted absent at first roll call:

Supervisors Alioto, Hsieh, Maher, Shelley, Ward - 5.

Quorum present.

Supervisor Alioto was noted present at 3:16 p.m.

Supervisor Hsieh excused. (See Supra.)

Supervisor Maher excused. (See infra.)

Supervisor Shelley excused. (See infra.)

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SPECIAL ORDER - 3:00 P.M.

(A Court Reporter was present and a transcript of the proceedings is on file in the Office of the Clerk of the Board of Supervisors.)

Joint Board of Supervisors/Redevelopment Agency

Hearing Held

[Public Hearing]

Public hearing on the proposed further changes to proposed amendment to the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area.

File 151-91-2.1

(November 1, 1991 - City Planning advises additional changes are in conformity with the Northeast Waterfront Plan, as amended, and no additional amendments to the Master Plan are necessary.)

The Chair outlined the parliamentary procedure the Board would follow in conducting the hearing and read the Rules of Order applicable to the joint hearing.

The Chair recognized Mr. Buck Bagot, President of the Redevelopment Agency, to jointly chair the public hearing. Ms. Patsy R. Oswald, Agency Secretary, stated the purpose of the meeting and called the roll. A quorum of the members of the Redevelopment Agency was present.

Mr. Edward Helfeld, Executive Director of the Redevelopment Agency presented the Agency's position on further amending the proposed Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area.

The Chair requested the Clerk to identify all written communications received regarding the adoption of the further proposed changes.

The Clerk read into the record that a communication was received dated November 1, 1991, from the Director of Planning indicating that additional changes to the proposed Rincon Point-South Beach Redevelopment Plan Amendment are in conformity with the Northeastern Waterfront Plan, as amended, and no additional amendments to the Master Plan are necessary.

The President inquired if there was anyone present who wished to address the Board.

The privilege of the floor was granted to the following persons:

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Rick Marino, Citizens Advisory Committee, Rincon Point-South
Beach Redevelopment Plan;
Mark Haskett, Acting Secretary, Landmarks Preservation Board;
Mike Gray;
Ace Washington;
Dehnart Queen.

There being no additional persons who wished to testify, the
joint public hearing was closed.

Adopted

[Rincon Point - South Beach Redevelopment Plan]
Resolution adopting Final Supplemental Environmental Impact Report,
finding and determining that the proposed amendment to the Rincon
Point - South Beach Redevelopment Plan will have significant impacts
on the environment and adopting and incorporating findings of Final
Supplemental Environmental Impact Report. (Supervisor Ward)

File 151-91-2.1, Resolution No. 1002-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez,
Hallinan, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Maher, Shelley, Ward - 4.

Adopted as Amended

[Rincon Point - South Beach Redevelopment Plan]
Resolution adopting findings of the Board of Supervisors of the City
and County of San Francisco made pursuant to the California
Environmental Quality Act and the State guidelines in connection
with the approval of the Amendment to the Rincon Point - South Beach
Redevelopment Plan. (Supervisor Ward)

File 151-91-2.2, Resolution No. 1003-91

Supervisor Migden, seconded by Supervisor Gonzalez, moved an
amendment of the Whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez,
Hallinan, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Maher, Shelley, Ward - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez,
Hallinan, Kennedy, Migden - 7.

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Absent: Supervisors Hsieh, Maher, Shelley, Ward - 4.

Passed for Second Reading as Amended

[Redevelopment Plan Amendment]

Ordinance amending Ordinance No. 14-81, amended by Ordinance No. 50-84, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to permit residential uses on two (2) parcels within the South Beach sub-area: Parcel I-1 (Oriental Warehouse and Palmisano parcels, located on First and Brannan Streets) and Parcel D, located on the northwest corner of Bryant and Beale Streets; permit office uses on Parcel C-1, located on the northwest corner of Folsom and Steuart Streets within the Rincon Point sub-area; increase the height limit on Parcels I-1 and I-3 from 105 to 160 feet; increase the residential density on Parcel F-1 (northeast corner of Bryant and First Streets) from 110 to 130 dwelling units per acre; ((allow accessory parking as a permitted use for the Oriental Warehouse;)) require the agency to impose fees, conditions and exactions to commercial office developers within the Rincon Point sub-area; include the Agency's housing participation policy; permit alternative land uses to be combined on the same parcel; ((and)) allow the Redevelopment Agency, on a short term basis, to lease any of its property for uses which are not in conformance with the adopted Redevelopment Plan; and adopting further proposed changes to the proposed amendment to the plan. (Redevelopment Agency)

File 151-91-2, Ordinance No.

Supervisor Achtenberg, seconded by Supervisor Hallinan, moved an amendment of the whole entitled, "Ordinance amending Ordinance No. 14-81, amended by Ordinance No. 50-84, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to permit residential uses on two (2) parcels within the South Beach sub-area: Parcel I-1 (Oriental Warehouse and Palmisano parcels, located on First and Brannan Streets) and Parcel D, located on the northwest corner of Bryant and Beale Streets; permit office uses on Parcel C-1, located on the northwest corner of Folsom and Steuart Streets within the Rincon Point sub-area; increase the height limit on Parcels I-1 and I-3 from 105 to 160 feet; increase the residential density on Parcel F-1 (northeast corner of Bryant and First Streets) from 110 to 130 dwelling units per acre; require the agency to impose fees, conditions and exactions to commercial office developers within the Rincon Point sub-area; include the Agency's housing participation policy; permit alternative land uses to be combined on the same parcel; and allow the Redevelopment Agency, on a short term basis, to lease any of its property for uses which are not in conformance with the adopted Redevelopment Plan."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Maher, Shelley, Ward - 4.

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Supervisor Gonzalez, seconded by Supervisor Hallinan, moved to amend the amendment of the whole, by further amending the title, line 16, by deleting the word "and" and amend line 18, after "plan" by adding the following: "; and adopting further proposed changes to the proposed amendment to the plan."; amend page 7, line 7, by adding the following: "The Board of Supervisors also adopts the "Further Proposed Changes to the Proposed Amendment to the Redevelopment Plan for the Rincon Point - South Beach Redevelopment", dated November 5, 1991, and these changes are incorporated by reference and made a part hereof with the same force and effect as though set forth fully herein."

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved to further amend by presenting new title entitled "[Redevelopment Plan Amendment] Ordinance amending No. 14-81, amended by Ordinance No. 50-84, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to permit residential uses on two (2) parcels within the South Beach sub-area: Parcel I-1 (Oriental Warehouse and Palmisano parcels, located on First and Brannan Streets) and Parcel D, located on the northwest corner of Bryant and Beale Streets; permit office uses on Parcel C-1, located on the northwest corner of Folsom and Steuart Streets within the Rincon Point sub-area; increase the height limit on Parcels I-1 and I-3 from 10-5 to 160 feet; increase the residential density on Parcel F-1 northeast corner of Bryant and First Streets) from 110 to 130 dwelling units per acre; require the Agency to impose fees, conditions and exactions to commercial office developers within the Rincon Point sub-area; include the agency's housing participation policy; permit alternative land uses to be combined on the same parcel; allow the Redevelopment Agency, on a short term basis, to lease any of its property for uses which are not in conformance with the adopted Redevelopment Plan; and adopting further proposed changes to the proposed amendment to the plan."

Motion to further amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Maher, Shelley, Ward - 4.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Maher, Shelley, Ward - 4.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the

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rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Military's Anti-Gay/Lesbian Policies]

Resolution expressing support for the efforts of the Veterans Affairs Council in its investigation of the impacts of U.S. Military discrimination on the basis of sexual orientation; requesting the Budget Analyst to provide information regarding the economic impact of this discriminatory military policy upon San Francisco; conveying to Federal officials the Board's desire that these officials change their policies by eliminating discrimination based on sexual orientation in the military and with regard to veterans. (Supervisors Achtenberg, Migden, Britt)

File 253-91-1, Resolution No. 986-91

(November 4, 1991 - Introduced in Board for consideration on November 12, 1991.)

Adopted.

[Condominium]

Motion approving final map of the Sunset Building, 2301 Noreiga Street, a commercial condominium project, being a resubdivision of Lot 56 in Assessor's Block 2067; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-31

(November 4, 1991 - Introduced in Board for consideration on November 12, 1991.)

Adopted.

[Condominium]

Motion approving final map of the Sunset Building, 2323 Noreiga Street, a commercial condominium project, being a resubdivision of Lot 57 in Assessor's Block 2067; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-32

(November 4, 1991 - Introduced in Board for consideration on November 12, 1991.)

Adopted.

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[Condominium]

Motion approving final map of the Sunset Building, 1803 30th Avenue, a residential condominium project, being a resubdivision of Lot 58 in Assessor's Block 2067; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-33

(November 4, 1991 - Introduced in Board for consideration on November 12, 1991.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 7.

Absent: Supervisors Alioto, Hsieh, Maher, Shelley - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-45, Resolution No. 988-91

(Mayor Art Agnos, November 9 - 10; Doris Ward, President, Board of Supervisors, November 13 - 19; Bill Maher, member, Board of Supervisors, November 30 - December 11; Philip Armour, member, Commission on the Aging, October 30 - November 3; Raymond Baxter, Director of Health, November 6 - 9 and 14 - 15; Dale Carlson, member, Public Library, November 6 - 16; Tim Carrico, member, Rent Board, October 31 - November 12; Sidney Chan, member, Recreation and Park, November 10 - 22; Lonnie Chin, member, Public Library, November 2 - 5; Rina Cutler, Executive Director, Parking and Traffic, November 12 - 15; Cleo Donovan, member, Civil Service Commission, November 5 - 6; Robert Feldman, Executive Director, Board of Permit Appeals, November 1 - 11; Richard Guggenhime, member, Recreation and Park, November 7 - 10; Kevin Hagerty, Acting Director, Parking and Traffic, November 12 - 15; Molly

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Martin, member, Commission on the Status of Women, November 1 - 10; James Morales, member, City Planning, November 1 - 4; Trent Orr, member, Recreation and Park, November 16 - 20; Fred Postel, Chief of Fire Department, December 4 - 7; Richard Sanchez, member, Health Commission, November 1; Arlo Smith, District Attorney, November 21, 1991.)

Adopted.

[Acceptance of Gift]

Resolution authorizing the Mayor to accept and expend a gift of \$10,000 from the Chinese Consolidated Benevolent Association for any information leading to the arrest and conviction of the murderer(s) of Mon Wey Mak. (Supervisor Ward)

File 38-91-20, Resolution No. 989-91

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Street Closing]

Resolution authorizing temporary closing of portions of Jarboe Avenue, between Anderson and Gates Streets; Ellsworth Street, between Cortland Avenue and Jarboe Avenue, on Saturday, November 16, 1991 at 6:00 p.m. until November 17, 1991 at 12:00 a.m., for St. Kevins Church/School fundraiser sponsored by SF Host Lions/St. Kevins Church.

File 42-91-75, Resolution No. 990-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Street Artists]

Resolution designating temporary downtown area selling spaces for street artists certified by the Arts Commission, City and County of San Francisco, for the Christmas season, 1991, beginning on November 15, 1991 and ending on January 15, 1992.

File 169-91-2, Resolution No. 981-91

Supervisor Hallinan presented for immediate adoption.

Adopted.

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[Condominium]

Motion approving final map of 1054 South Van Ness Avenue, a condominium project, being a resubdivision of Lot 26 in Assessor's Block 3614; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-30

(October 24, 1991 - Introduced in Board for consideration on November 12, 1991.)

At the request of Supervisor Kennedy severed from For Adoption Without Reference to Committee Calendar and placed on Immediate Adoption Calendar.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 7.

Absent: Supervisors Alioto, Hsieh, Maher, Shelley - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Golden Gate Bridge Senior Toll]

Resolution urging the Mayor to urge the Golden Gate Bridge, Highway and Transportation District Board of Directors to grant seniors a \$1.00 toll when presenting a Medicare Card for identification. (Supervisor Kennedy presented.) Referred to Board November 18, 1991, For Adoption Without Committee Reference Calendar.

File 55-91-3

Referred to Committee

[Jose Coronado Playground]

Resolution urging the Mayor to urge the Recreation and Park Commission to change the name of "Folsom Playground" to "Jose Coronado Playground". (Supervisor Gonzalez presented.) Referred to City Services Committee.

File 193-91-9

[Bill Graham Meadow - Golden Gate Park]

Resolution urging the Mayor to urge the Recreation and Park Commission to rename "Speedway Meadow" in Golden Gate Park to "Bill

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Graham Meadow". (Supervisors Gonzalez, Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward presented.) Referred to City Services Committee.

File 193-91-11

Requests for Hearings

File 4-91-28, By Supervisor Gonzalez: To consider legislation urging the Mayor to proclaim April 19-26, 1992, "San Francisco: One Neat City Week". Referred to Economic and Social Policy Committee.

File 30-91-22, By Supervisors Alioto, Britt: To consider extending the hours of San Francisco General Hospital's Unit 4C, Outpatient Infusion Center. Referred to City Services Committee.

File 40-91-13, By Supervisor Maher: To consider legislation to include those areas in the Haight-Ashbury neighborhood which are not currently included in an existing permit parking zone. Referred to Economic and Social Policy Committee.

File 100-91-7, By Supervisors Gonzalez, Migden: To consider the status of the City's economic vitality and business climate. Referred to Finance Committee.

File 108-91-3, By Supervisor Alioto: To consider the efficacy of clean needle exchange in the reduction of HIV transmission and reviewing the City's options to implement such a program in San Francisco. Referred to City Services Committee.

Motion

Referred to Board

[MBE/WBE/LBE]

Motion authorizing the transfer of \$5,000, subject to the approval of the Controller, from the salary account of the budget of the Board of Supervisors for Legislative Policy Analysts to the professional services account of the budget of the Board of Supervisors. (Supervisor Migden presented.) Referred to Board November 18, 1991, For Adoption Without Committee Reference Calendar.

File 54-91-3

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 34-91-2. [Width of Sidewalk] Amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Section 1506 changing the official width of sidewalk on the west side of 19th Avenue from approximately 336.9 feet north and 82.7

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feet south of Monte Vista Drive as shown on the Department of Public Works Plan Q-20-387; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works) City Services.

File 45-91-63. [Settlement of Lawsuit] Authorizing settlement of litigation of Maria-Ester De Anda against the City and County of San Francisco by payment of \$11,000. (City Attorney). Administration and Oversight.

File 45-91-64. [Settlement of Lawsuit] Authorizing settlement of litigation of Douglas K. Cowger against the City and County of San Francisco by payment of \$40,000. (City Attorney). Administration and Oversight.

File 101-91-25. [Government Funding] Appropriating \$95,018, Department of Public Health, Central Office, for permanent salaries-miscellaneous and related mandatory fringe benefits, other current expenses and materials and supplies, for the creation of four position; companion measure to File 102-91-11. (Controller). Finance.

File 102-91-11. [Public Employment] Amending Annual Salary Ordinance, 1991-92, Department of Public Health, Central Office for HIV Youth Outreach by the AIDS Office, reflecting the addition of four positions (Classifications (1) 2812 Assistant Health Educator (2) 9912 Public Service Aide-Technical and (1) 9924 Public Service Aide-Health Services); companion measure to File 101-91-25. (Civil Service Commission) Finance.

File 173-91-9. [Amendment to Terminal Operating Agreement] Approval of Fifth Amendment with Fred F. Noonan Company Inc., to increase service area at Seawall Lot 349 and to provide for annual reporting procedures of sublease revenues. (Port) Finance.

Resolutions Referred to Committee

File 40-91-4.1. [Parking of Vehicles] Extending the boundaries of Residential Permit Parking Area "V" in the Balboa Park area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Economic and Social Policy.

File 40-91-12. [Parking of Vehicles] Establishing the continuance of the Residential Permit Parking Area "U" in the South of Market area. (Department of Parking and Traffic) Economic and Social Policy.

File 68-91-6. [Grant - Federal Funds] Authorizing the Mayor of the City and County of San Francisco to apply for, accept and expend funds in the amount of \$616,522 made available through the Department of Health and Human Services for a project entitled "San Francisco Gang Prevention Program" and agreeing to provide in kind match in the amount of \$449,447, providing for ratification of action previously taken. (Mayor) Finance.

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File 79-91-2. [Federal Funding - Community Development] Approving the 1992 Community Development Program and Housing Assistance Plan, authorizing the Mayor on behalf of the City and County of San Francisco to apply for, receive, and expend the City's 1992 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development; transfer and expend reprogrammed funds from prior year Community Development Programs up to \$20,093,535, approving expenditure schedules for recipient departments and agencies and for indirect costs, and determining no environmental evaluation is required, authorizing the receipt and deposit in contingencies of 1992 CDBG entitlement funds in excess of \$20,093,535. (Mayor) Finance.

File 93-91-20. [MOU] Ratifying Memorandum of Understanding with Sheet Metal Workers International Union, Local 104. (Office of Mayor Employee Relations Division). Administration and Oversight.

File 146-91-1.1. [Grant - State Funds] Authorizing the Department of Public Health, Community Public Health, Bureau of Health Promotion and Education, to expend \$93,332 of grant funds which excludes indirect costs from the State Department of Health Services to fund the contractor, Hispanic Headquarters Advertising, to implement a tobacco prevention media campaign targeting Latino youth; companion measures to Files 146-91-1 and 146-91-8. (Department of Public Health) Finance.

File 146-91-6.2. [Grant - Funds] Authorizing the Department of Public Health, Homeless Programs, to accept and expend a gift of \$18,412 which excludes indirect costs from Plaza Funding and Comic Relief for the provision of services to the Homeless. (Department of Public Health) Finance.

File 150-91-1.2. [Grant - Federal Funds] Authorizing Recreation and Park Department to accept and expend a grant in the amount of \$249,900 from the Urban Parks and Recreation Recovery Act for renovation of the Potrero Hill Recreation Center. (Recreation and Park Department) Finance.

File 150-91-2.1. [Grant - Federal Funds] Authorizing Recreation and Park Department to accept and expend a grant in the amount of \$189,870 from Land and Water Conservation Funds for Lake Merced Perimeter Walkway Project. (Recreation and Park Department) Finance.

File 191-91-2. [Indemnification Agreement] Authorizing an indemnity provision in Design and Construction Agreements between the City and County of San Francisco, acting through the Public Utilities Commission and the State of California. (Public Utilities Commission) Finance.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

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By Supervisor Gonzalez, that the City Attorney prepare legislation urging the Mayor to proclaim April 19-26, 1992, "San Francisco: One Neat City Week".

By Supervisor Kennedy, that a letter be sent to Mr. Thad Brown, Tax Collector, inquiring about a petition from employees of the Tax Collector's Office, Room 107, City Hall regarding environmental and health concerns.

By Supervisor Kennedy, that a letter be sent to the Mayor and Mr. Rudolf Nothenberg, Chief Administrative Officer inquiring whether San Francisco has or plans to use the Community Reinvestment Act funds for start-up funds for small businesses or to establish loan programs similar to other cities.

By Supervisor Kennedy, that a letter be sent to the Superintendent of Schools, Mr. Ramon C. Cortines, 135 Van Ness Avenue, S.F. 94102 that it has recently come to her attention that there are no school crossing guards at the Brett Hart Elementary School. Supervisor Kennedy respectfully inquires into the reasons why this is so, and into the feasibility of establishing a crossing guard at the appropriate intersection at the appropriate times of day.

By Supervisor Kennedy, that the City Attorney prepare legislation which would prohibit smoking at Candlestick Park.

By Supervisor Migden, that a letter be sent to Dr. Raymond Baxter, Director of Health, Department of Public Health, inquiring about the circumstances surrounding the resignation of three (3) members of the psychiatric staff (Doctors Hawkins, Richardson and Pesner) at Laguna Honda Hospital in July 1991; and further inquires if these resignations were prompted because of discrimination based on sexual orientation and if an investigation was undertaken.

By Supervisor Alioto, that the City Attorney prepare legislation urging the California State Legislature and the Governor to pass legislation allowing for a "clean needle" exchange program in San Francisco to reduce the incidence of HIV transmission.

By Supervisor Maher, that the City Attorney prepare legislation to include those areas in the Haight-Ashbury neighborhood which are not currently included in an existing permit parking zone.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Juanita Flynn (Entire Board)
Theodore Vertner (Supervisor Ward)
David Neely (Supervisors Achtenberg, Migden, Ward, Kennedy)
Johnnie Pratt (Supervisor Kennedy)
Irving Rosenberg (Supervisor Maher)

File 2-91-45

Unanimously adopted by a rising vote.

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ADJOURNMENT

There being no further business, the Board at the hour of 3:52 p.m. adjourned.

Jean C. Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Tuesday November 12, 1991

Approved by the Board of Supervisors on November 9, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 86

No. 46

C.2
11/18/91

Monday, November 18, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, November 18, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Doris M. Ward, the meeting was called to order at 3:01 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Noted absent at first roll call:

Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Quorum present.

Supervisor Gonzalez excused, on official leave of absence.

Supervisor Kennedy excused, on official leave of absence.

Supervisor Maher excused, on official leave of absence.

Supervisor Shelley excused, on official leave of absence.

Supervisor Ward excused, on official leave of absence.

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Hsieh, seconded by Supervisor Hallinan, moved that Supervisor Britt be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Monday, November 18, 1991

Supervisor Britt thereupon assumed the Chair.

CONSENT CALENDAR

Recommendation of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$20,284,076, Municipal Railway, to purchase thirty-five (35) light rail vehicles (LRV), for fiscal year 1991-92. (Controller)

File 101-91-21, Ordinance No. 399-91

Finally passed.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Dorsey Redland against the City and County by payment of \$25,000. (City Attorney)

File 45-91-60, Ordinance No.

(Superior Court No. 924-564.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Helen Hendricks against the City and County by payment of \$17,441.76. (City Attorney)

File 45-91-62, Ordinance No.

(Superior Court No. 905-894.)

Passed for second reading.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Monday, November 18, 1991

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$50,000, Police Department, for other services (Surrender of Firearms Program), for fiscal year 1991-92; providing for ratification of action previously taken. (Controller)

File 101-91-24, Ordinance No. 401-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

From the Board

Filed for Second Reading as Amended

[Redevelopment Plan Amendment]

Ordinance amending Ordinance No. 14-81, amended by Ordinance No. 50-84, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to permit residential uses on two (2) parcels within the South Beach sub-area: Parcel I-1 (Oriental Warehouse and Palmisano parcels, located on First and Brannan Streets) and Parcel D, located on the northwest corner of Bryant and Beale Streets; permit office uses and delete hotel use on Parcel C-1, located on the northwest corner of Folsom and Steuart Streets within the Rincon Point sub-area; increase the height limit on Parcels I-1 and I-3 from 105 to 160 feet; increase the residential density on Parcel F-1 (northeast corner of Bryant and First Streets) from 110 to 130 dwelling units per acre; require the Agency to impose fees, conditions and exactions to commercial office developers within the Rincon Point sub-area; include the Agency's housing participation policy; permit alternative land uses to be combined on the same parcel; allow the Redevelopment Agency, on a short term basis, to lease any of its property for uses which are not in conformance with the adopted Redevelopment Plan; and adopting further proposed changes to the proposed amendment to the plan. (Redevelopment Agency)

File 151-91-2, Ordinance No.

Supervisor Migden, seconded by Supervisor Achtenberg, moved an amendment of the whole entitled "[Redevelopment Plan Amendment]

Monday, November 18, 1991

Ordinance amending Ordinance No. 14-81, amended by Ordinance No. 50-84, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to permit residential uses on two (2) parcels within the South Beach sub-area: Parcel I-1 (Oriental Warehouse and Palmisano parcels, located on First and Brannan Streets) and Parcel D, located on the northwest corner of Bryant and Beale Streets; permit office uses on Parcel C-1, located on the northwest corner of Folsom and Steuart Streets within the Rincon Point sub-area; increase the height limit on Parcels I-1 and I-3 from 10-5 to 160 feet; increase the residential density on Parcel F-1 northeast corner of Bryant and First Streets) from 110 to 130 dwelling units per acre; require the Agency to impose fees, conditions and exactions to commercial office developers within the Rincon Point sub-area; include the agency's housing participation policy; permit alternative land uses to be combined on the same parcel; allow the Redevelopment Agency, on a short term basis, to lease any of its property for uses which are not in conformance with the adopted Redevelopment Plan; and adopting further proposed changes to the proposed amendment to the plan."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Supervisor Migden, seconded by Supervisor Achtenberg, moved to further amend by inserting the phrase "and delete hotel use" on lines 7 and 8 of title, page 1; line 25 of page 4; and line 15 of page 6 between the word "uses" and the word "on".

Motion to further amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

Monday, November 18, 1991

[Agriculture]

Ordinance amending Administrative Code, changing the fees charged for the sale of agricultural products at the Farmers' Market.
(Department of Agriculture and Weights and Measures)

File 97-91-55, Ordinance No.

(Amends Section 9A.7.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Adopted

[Acceptance of Gift]

Resolution accepting a gift (retired Boeing 727-100 Aircraft valued at \$250,000) from United Airlines and the San Francisco Community College District for joint use by College and San Francisco International Airport. (Airports Commission)

File 38-91-18, Resolution No. 1015-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Consideration Continued

[Reimbursement to Employees]

Resolution authorizing reimbursement for cost of personal property of City and County employee damaged/stolen in the line of duty; consisting of one warrant in the aggregate amount of \$843.00.
(Finance Committee)

File 51-91-1.1, Resolution No.

Supervisor Migden, seconded by Supervisor Achtenberg, moved to continue consideration to November 25, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Monday, November 18, 1991

[Reimbursement to Employees]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty; consisting of two warrants in the aggregate amount of \$10,995.90. (Finance Committee)

File 51-91-2.2, Resolution No.

Supervisor Achtenberg, seconded by Supervisor Migden, moved to continue consideration to November 25, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Adopted

[Contract Award Extension]

Resolution granting extension of time for awarding Hetch Hetchy Water and Power Contract No. HH-828R, Moccasin Penstock Saddle Replacement to January 31, 1992. (Public Utilities Commission)

File 61-91-4, Resolution No. 1016-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

[Grant - Federal Funds]

Resolution authorizing the Mayor's Office of Business and Economic Development to request an extension of the grant period to December 31, 1991, from the California Department of Commerce for a grant from the U.S. Economic Development Administration to allow for completion of work under a \$50,000 grant to the City and County for marketing in neighborhood commercial corridors. (Supervisor Hallinan)

File 68-90-20.1, Resolution No. 1017-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Monday, November 18, 1991

[Temporary Street Space Deposit Requirement]

Resolution urging the Mayor to urge the Chief Administrative Officer to direct the Department of Public Works to establish a process by which the Department may accept a security bond in lieu of a cash deposit as provided for in Article 15, Section 724.3 of the Public Works Code, and urging the Director of the Department of Public Works to submit a report to the Board of Supervisors outlining the security bond process within sixty days. (Supervisor Gonzalez)

File 123-91-2, Resolution No. 1020-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

[Grant - State Funds]

Resolution authorizing the District Attorney of the City and County to apply for, accept and expend additional funds in the amount of \$21,030 which include indirect costs of \$1,051, in connection with an existing grant originally funded at \$112,970, previously approved by Board of Supervisors Resolution No. 556-91, made available through the Office of the Attorney General for the operation of a project entitled "Child Victim Witness Investigative Pilot Project", for the twelve month period July 1, 1991 through June 30, 1992; providing for ratification of action previously taken. (Mayor)

File 138-91-3.1, Resolution No. 1021-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

[Grant Application - State Funds]

Resolution authorizing the Police Department to apply for, accept and expend a grant totaling \$341,005, excluding indirect costs, from the California Office of Traffic Safety for "Public Awareness, Education, and Enforcement"; authorizing local match for the second year of the grant of two FTE Q2 Police Officers from July 1, 1992 through December 31, 1994; waiving indirect costs; providing for ratification of action previously taken. (Police Commission)

File 143-91-4, Resolution No. 1006-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Monday, November 18, 1991

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Adopted as Amended

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Homeless Programs, to accept and expend a grant of \$550,000 which includes indirect costs in an amount of \$11,000, based on 2 percent of the total award, from the Department of Transportation through the Metropolitan Transit Commission, for outreach services to homeless persons in transit facilities. (Department of Public Health)

File 146-91-57.1, Resolution No. 987-91

Supervisor Hallinan, seconded by Supervisor Achtenberg, moved to amend by replacing the word "transit" on lines 5 and 11 with "transportation".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Adopted

[Grant - State Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a continuing grant allocation of \$1,450,000, which excludes indirect costs, from the California State Department of Health Services for the continuation of the AIDS Drug Program for the residents of San Francisco; waiving indirect costs; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-79, Resolution No. 1022-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Monday, November 18, 1991

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Special Programs for Youth, as a sub-grantee, in collaboration with Northern California Pediatric AIDS Treatment Center as prime grantee, to accept and expend an allocation of \$221,437, which includes indirect costs in the amount of \$10,545 based on five percent of the total award, from the National Institute of Health, National Institute of Allergy and Infectious Disease, for establishing clinical trial subunits and health services for youth and to authorize the expenditure of grant funds to establish and finance civil service positions for the provision of these services. (Department of Public Health)

File 146-91-81, Resolution No. 1023-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

[Federal Funding]

Resolution approving revisions to the Refugee County Plan previously approved by this Board and of dollar allocations reflected in it; authorizing the President of the Private Industry Council to apply for, accept and expend refugee funds. (Private Industry Council)

File 156-91-4, Resolution No. 1024-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

[Redevelopment Agency Budget and Bonds]

Resolution approving and authorizing an amendment to the Indebtedness Limitation Agreement between the Redevelopment Agency and the City and County of San Francisco for fiscal year 1991-92. (Redevelopment Agency)

File 161-91-4.1, Resolution No. 1025-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Monday, November 18, 1991

Recommendations of Administration and Oversight Committee

Adopted

[Appointment]

Resolution appointing member to the San Francisco Emergency Medical Care Committee, for the unexpired portion of the three-year term ending June 30, 1992. (Administration and Oversight Committee)

File 92-91-14.6, Resolution No. 1018-91

(Myra Snyder, Ed.D., Department of Public Health, vice David Werdegarr, M.D.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Consideration Continued

[Appointment]

Resolution appointing member to the Adult Day Care Planning Council, for the two-year term ending July 15, 1993. (Administration and Oversight Committee)

File 92-91-27.4, Resolution No.

(Barbara A. Judy, Urban Gardners, vice Patricia Kennedy, term expired.)

Supervisor Achtenberg, seconded by Supervisor Hallinan, moved to continue consideration to November 25, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Adopted

[Appointment]

Resolution appointing member to the Adult Day Health Care Planning Council, for the three-year term ending September 30, 1994; making findings waiving residency requirement. (Administration and Oversight Committee)

File 92-91-30.2, Resolution No. 1019-91

(Gay Kaplan, RN, County Health Program, vice herself, term expired.)

Monday, November 18, 1991

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to vacation of portion of Powhattan Avenue lying between Andover and Moultrie Streets; authorizing sale thereof to the owners of the two abutting properties for \$25,000 and \$5,000.

File 164-91-4.1

(Pursuant to Board of Supervisors Resolution No. 873-91, approved October 9, 1991.)

The privilege of the floor was granted to the following persons:

Terry Millan, member, Design Review Board;
Hedi Cowan;
Beverly Anderson;
Karen Pettie.

From Economic and Social Policy Committee
Without Recommendation

Consideration Continued As Amended

[Street Vacation]

Ordinance ordering vacation of the portion of Powhattan Avenue lying between Andover and Moultrie Streets; authorizing sale thereof to the owners of the two abutting properties for \$25,000 and \$5,000, respectively; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 164-91-4.1, Ordinance No.

(Fiscal Impact.)

Appointment of President Pro Tempore

At the request of the Acting President, Supervisor Achtenberg assumed the Chair so the Acting President could participate in the debate from the floor.

Monday, November 18, 1991

Supervisor Migden, seconded by Supervisor Britt, moved to amend to replace "Section 6" on page two, to read: "The San Francisco Board of Supervisors hereby finds that the proposed vacation and conveyance, of said street areas are in conformity with the Master Plan and consistent with the Eight Priority Policies of Planning Code Section 101.1 as set forth in letter dated July 17, 1990 from Director, City Planning to City Engineer, a copy of which report is on file with the Clerk of the Board of Supervisors."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Supervisor Britt, seconded by Supervisor Migden, moved to continue consideration as amended to December 9, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Mary Arne;
Denhart Queen;
Shirley Valarie;
Stan Pero.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

The following two measures were acted upon separately.

Consideration Continued

Monday, November 18, 1991

[Golden Gate Bridge Senior Toll]

Resolution urging the Mayor to urge the Golden Gate Bridge, Highway and Transportation District Board of Directors to grant seniors a \$1.00 toll when presenting a medicare card for identification. (Supervisor Kennedy)

File 55-91-3, Resolution No.

Supervisor Hallinan, seconded by Supervisor Achtenberg, moved to continue consideration to December 9, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

[MBE/WBE/LBE]

Motion authorizing the transfer of \$5,000, subject to the approval of the Controller, from the salary account of the budget of the Board of Supervisors for Legislative Policy Analysts to the professional services account of the budget of the Board of Supervisors. (Supervisor Migden)

File 54-91-3

(November 12, 1991 - Introduced in Board for consideration on November 18, 1991.)

Supervisor Hallinan, seconded by Supervisor Achtenberg, moved to continue consideration to November 25, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

Monday, November 18, 1991

File 1-91-46, Resolution No. 991-91

(Mayor Art Agnos, November 19 - 20; Doris M. Ward, President, Board of Supervisors, December 5 - 7 and December 11 - 17; Angela Alioto, member, Board of Supervisors, November 21 - 24; Harry Britt, member, Board of Supervisors, November 19 - December 16; Michael Huerta, Executive Director, Port, November 17 - 22, 1991.)

Adopted.

[Street Closing]

Resolution authorizing temporary closing of portion of Leavenworth Street, for a celebration of the signing of peace in Cambodia sponsored by Santepeheap. (Supervisor Hsieh)

File 42-91-76, Resolution No. 992-91

(Leavenworth Street, between Eddy and Ellis Streets, Saturday, November 23, 1991, from 9:00 a.m. to 6:30 p.m.)

Adopted.

[Street Closing]

Resolution authorizing temporary closing of portions of Montgomery Street and Hotaling Place, Saturday, November 23, 1991, from 12:00 noon to 3:00 p.m., for a salute to San Francisco Historical Landmark. (Supervisor Ward)

File 42-91-77, Resolution No. 993-91

(Montgomery Street, between Jackson and Washington Streets; Hotaling Place, between Jackson and Washington Streets.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Appointment]

Resolution appointing Supervisor Doris Ward as the alternate voting delegate to the General Assembly for the Association of Bay Area Governments.

File 92-91-43, Resolution No. 984-91

Supervisor Migden presented for immediate adoption.

Adopted.

Monday, November 18, 1991

[Contract]

Resolution authorizing the Department of Social Services to execute a Hold Harmless Agreement with the State Department of Social Services for the State pass through of a wage supplement to selected individual providers of In-Home Supportive Services for the period December 1, 1991, through June 30, 1992, for the purpose of assuring cultural, ethnic and language oriented services through community based organizations.

File 172-91-19, Resolution No. 994-91

Supervisor Ward presented for immediate adoption.

Adopted.

[Approval of Hold Harmless Agreement]

Resolution authorizing the Port of San Francisco to enter into Hold Harmless and Indemnity Agreements for Upland Disposal of dredged materials.

File 173-91-10, Resolution No. 983-91

Supervisor Hallinan presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Absent: Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Involuntary Poverty]

Resolution supporting the national campaign to abolish involuntary poverty. (Supervisor Migden presented.) Referred to Board November 25, 1991, For Adoption Without Committee Reference Calendar.

File 43-91-7

Referred to Committee

Monday, November 18, 1991

[Grant - State Funds]

Resolution rescinding Resolution No. 932-91 and authorizing the Chief of Police of the City and County of San Francisco to apply for, accept and expend funds in the amount of \$99,610 which include indirect costs in the amount of \$6,641 or five percent of the total grant award, made available through the Office of Criminal Justice Planning for a project entitled "Gang Violence Suppression Program" and agreeing to provide cash match in the amount of \$33,204; providing for ratification of action previously taken. (Supervisor Hallinan present on behalf of Supervisor Gonzalez.) Referred to Finance Committee.

File 143-91-5

[Housing Revenue Bond]

Resolution of the Board of Supervisors of the City and County of San Francisco Authorizing the issuance, sale and delivery of City and County of San Francisco Multifamily Housing Revenue Bonds, (The Artark Apartments), 1991 Issue A; in a principal amount not to exceed one million seven hundred eighty thousand dollars (\$1,780,000); approving and authorizing the execution and delivery of an Indenture of Trust, a Loan Agreement and a Regulatory Agreement and Declaration of Restrictive Covenants; and authorizing the execution and delivery of and approving other related documents and actions in connection therein. (Supervisor Hallinan presented on behalf of Supervisor Gonzalez.) Referred to Finance Committee.

File 170-91-8

[Reimbursement From Bond Proceeds]

Resolution declaring official intent of the City and County of San Francisco to reimburse funds for repair of the Civic Center Heating System from proceeds of taxable or tax-exempt indebtedness. (Supervisor Hallinan presented.) Referred to Finance Committee.

File 170-91-9

Requests for Hearings

File 101-90-84.2, By Supervisor Hallinan on behalf of Supervisor Gonzalez: To consider release of reserved funds, San Francisco Fire Department, in the amount of \$142,082, for construction of thirty-three (33) bayside suction inlets to allow Fire Department pumps easy access to an unlimited water source. (Companion to File 101-90-84, Ord. No. 156-91) Referred to Finance Committee.

File 7-91-16, By Supervisor Britt: To consider the San Francisco Municipal Railway complaint process; specifically the Michael Mascari incident. Referred to Economic and Social Policy Committee.

File 12-91-35.1, By Supervisor Britt: To consider the status of SB 855 funds (Health Programs), which were to be available in October/November 1991. Referred to Finance Committee.

Monday, November 18, 1991

File 100-91-8, By Supervisor Hallinan on behalf of Supervisor Gonzalez: To consider the status of revenues and expenditures, 1991-1992 budget. Referred to Finance Committee with request it be considered at the November 27, 1991, meeting.

File 101-91-7.1, By Supervisor Hallinan on behalf of Supervisor Gonzalez: To consider release of reserved funds, San Francisco Fire Department, in the amount of \$308,918, for construction of thirty-three (33) bayside suction inlets to allow Fire Department pumpers easy access to an unlimited water source. (Companion to File 101-86-84, Ord. No. 110-87) Referred to Finance Committee.

File 107-91-5, By Supervisor Alioto: To consider recent complaints regarding sending foster children out of the City and County of San Francisco. Referred to City Services Committee.

File 193-91-12, By Supervisors Hallinan, Migden: To consider legislation urging the Recreation and Park Department not to remove the cement parking lot in the Panhandle off Masonic Avenue. Referred to City Services Committee.

File 235-91-3, By Supervisors Alioto, Britt, Migden: To consider the issues of HIV infection and transmission among Gay and Bisexual youth and to assess the City's response to this issue. Referred to City Services Committee.

File 264-91-3, By Supervisor Alioto: To consider the incidence of sexual harassment in San Francisco and to encourage women to make public their experiences of sexual harassment to further educate our citizens and help us review our policies for dealing with sexual harassment. Referred to City Services Committee.

Motion

Referred to Board

[Condominium]

Motion approving final map of 3301 Mission Street, a condominium project, being a resubdivision of Lot 32 in Assessor's Block 5615, and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Ward presented.) Referred to Board November 25, 1991, For Adoption Without Committee Reference Calendar.

File 58-91-34

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-91-65. [Settlement of Lawsuit] Authorizing settlement of litigation of Vienna Yuan against the City and County of San Francisco by payment of \$11,387.44. (City Attorney) Administration and Oversight.

Monday, November 18, 1991

File 46-91-16. [Settlement of Lawsuit] Authorizing settlement of Daniel Benitez v H & H Ship Service Company, et al., upon receipt of the sum of \$3,333.33 and release of lien. (City Attorney). Administration and Oversight.

File 164-91-5.1. [Street Vacation - Sale] Ordering vacation of a portion of Priest Street located between Clay and Washington Streets, authorizing sale thereof to the owner of the abutting property for \$120,000; and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 164-91-5. (Real Estate Department) City Services.

Resolutions Referred to Committee

File 7-91-15. [Contract Approval Trolley Coaches Purchase] Authorizing the San Francisco Municipal Railway to modify a contract with New Flyer Industries Limited to exercise the option to purchase twenty-five additional Articulated Trolley Coaches. (Public Utilities Commission) Finance.

File 23-91-5. [Claims Against the Government] Waiving the Statute of Limitations with respect to payment of certain warrants of the City and County of San Francisco, in the sum of \$5,219.60 a legal obligation of the City and County of San Francisco. (Department of Public Health) Finance.

File 41-91-3. [Assessment for costs] Confirming report of assessment costs submitted by the Director of Public Works for services ordered to be rendered at 2101 Beach Street by said Director pursuant to the provisions of Sections 203(m) and/or 203(o) of the Building Code; the costs thereof having been paid for out of the Repair and Demolition Fund. (Department of Public Works) Scheduled for Public Hearing before Board on December 12, 1991 AT 3:00 p.m.

File 48-91-9. [Settlement of Claim] Approving the settlement of the unlitigated claim of Beverly Ness in the amount of \$12,000. (City Attorney) Administration and Oversight.

File 53-91-5. [Final Negative Declaration] Adopting Final Negative Declaration, finding and determining that the Islais Creek Pump Station and associated improvements on Assessor's Blocks 5227, Lots 1; 5228/1, 11 and 5262/9 for the property located at the intersection of Evans Avenue and Rankin Street will have no significant impact on the environment; and adopting and incorporating findings of Final Negative Declaration; companion measure to File 53-91-5.1. (Department of Public Works) City Services.

File 53-91-5.1. [Southeast Water Pollution Control Plant] Approving Islais Creek Pump Station and associated improvements to the Southeast Water Pollution Control Plant; companion measure to File 53-91-5. (Department of Public Works) City Services.

File 164-91-5. [Street Vacation] Declaring intention of Board of

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Supervisors to vacate a portion of Priest Street located between Clay and Washington Streets; and setting the public hearing for all persons interested in the proposed vacation; companion measure to File 164-91-5.1. (Real Estate Department) City Services.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hallinan, that the City Attorney prepare legislation urging the Recreation and Park Department not to remove the cement parking lot in the Panhandle off Masonic Avenue.

By Supervisor Shelley, that a letter be sent to the City Attorney requesting an opinion on the following questions: A) Can special conditional use permits be required for liquor license transfers in the Mission District? B) Do stricter zoning options exist in the Mission District regarding liquor licenses? C) Can liquor license transfers into the Mission District be disallowed?

Motion Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Anna Mick (Supervisor Kennedy)
Joyce Whittingham (Supervisor Kennedy)
Annie Goode (Supervisor Kennedy)

File 2-91-46

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:12 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, November 18, 1991

Approved by the Board of Supervisors on November 9, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 86

No.47

.2
/25/91

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Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, November 25, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:09 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Gonzalez, Hallinan, Kennedy, Maher, Shelley, Ward - 6.

Noted absent at first roll call:

Supervisors Achtenberg, Alioto, Britt, Hsieh, Migden - 5.

Quorum present.

Supervisor Achtenberg excused. (See infra.)

Supervisor Alioto was noted present at 2:12 p.m.

Supervisor Britt excused, on official leave of absence.

Supervisor Alioto was noted present at 2:12 p.m.

Supervisor Hsieh was noted present at 2:10 p.m.

Supervisor Migden was noted present at 2:11 p.m.

Supervisor Achtenberg Excused

The Clerk announced that Supervisor Achtenberg requested to be excused.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved to excuse Supervisor Achtenberg.

Motion adopted by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 7.

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Absent: Supervisors Achtenberg, Alioto, Britt, Migden - 4.

Introduction of Guest

Supervisor Ward introduced and welcomed Senator Rodney Ellis from Houston, Texas.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Kennedy requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Economic and Social Policy Committee

Adopted

[Parking of Vehicles]

Resolution ((establishing)) endorsing the continuance of the Residential Permit Parking Area "U" in the South of Market Area. (Department of Parking and Traffic)

File 40-91-12, Resolution No. 1036-91

Supervisor Kennedy, seconded by Supervisor Migden, moved to amend legislation in title on line 2, by replacing "establishing" with "endorsing" and on line 29 by replacing "establish" with "endorse".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Britt - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Britt - 2.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Monday, November 25, 1991

Consent Calendar

Recommendation of Finance Committee

Finally Passed

[Agriculture]

Ordinance amending Administrative Code, changing the fees charged for the sale of agricultural products at the Farmers' Market.
(Department of Agriculture and Weights and Measures)

File 97-91-55, Ordinance No. 404-91

(Amends Section 9A.7.)

Finally passed.

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Dorsey Redland against the City and County by payment of \$25,000. (City Attorney)

File 45-91-60, Ordinance No. 402-91

(Superior Court No. 924-564.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Helen Hendricks against the City and County by payment of \$17,441.76. (City Attorney)

File 45-91-62, Ordinance No. 403-91

(Superior Court No. 905-894.)

Finally passed.

Recommendations of Economic and Social Policy Committee

Adopted

[Stop Intersections]

Resolution designating certain intersections as "Stop" intersections. (Economic and Social Policy Committee)

Monday, November 25, 1991

File 18-91-14, Resolution No. 1028-91

(Stop Signs - Establish

The Embarcadero and Beach Street, all corners, makes this an all way Stop;

The Embarcadero and North Point Street, all corners, makes this an all-way Stop;

North Point Street and Stockton Street, northeast and southwest corners, stopping North Point Street traffic, makes this an all-way Stop.)

Adopted.

[Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets. (Economic and Social Policy Committee)

File 20-91-20, Resolution No. 1029-91

(Right Turn Only - Establish

York Street, northbound, at Army Street/Precita Avenue.

No U-Turn - Establish

Lincoln Way, Westbound, at 7th Avenue.

One-Way Street - Rescind

Powell Street from Beach Street to Bay Street, One-Way northbound.)

Adopted.

[Parking of Vehicles]

Resolution extending the boundaries of Residential Permit Parking Area "V" in the Balboa Park area and adding Oneida Avenue, beginning at a point 199 feet east of the property line of San Jose Avenue to the west property line of Otsego Avenue, south side to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-91-4.1, Resolution No. 1030-91

Adopted.

[Parking of Vehicles]

Resolution extending the boundaries of Residential Permit Area "J" in the Parnassus Heights area; and adding Grattan Street between Cole and Shrader Streets, both sides to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-91-7, Resolution No. 1031-91

Adopted.

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[Parking of Vehicles]

Resolution extending the boundaries of Residential Permit Parking Area "G" in the Pacific Heights area; and adding Sutter Street, between Octavia and Laguna Streets, south side to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-91-8, Resolution No. 1032-91

Adopted.

[Parking of Vehicles]

Resolution extending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street area; and adding Capp Street, between 23rd and 24th Streets, both sides to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-91-9, Resolution No. 1033-91

Adopted.

[Parking of Vehicles]

Resolution extending the boundaries of Residential Permit Parking Area "O" in the West Portal/St. Francis Wood area; and adding 18th Avenue, between Taraval and Santiago Streets, both sides to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-91-10, Resolution No. 1034-91

Adopted.

[Parking of Vehicles]

Resolution extending the boundaries of Residential Permit Parking Area "D" in the Glen Park area; and adding Edna Street, between Marston Avenue and Havelock Street, both sides to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-91-11, Resolution No. 1035-91

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Alioto, Britt - 3.

Monday, November 25, 1991

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Adopted

[Reimbursement to Employees]

Resolution authorizing reimbursement for cost of personal property of City and County employee damaged/stolen in the line of duty; consisting of 1 warrant in the aggregate amount of \$843.00.
(Finance Committee)

File 51-91-1.1, Resolution No. 1038-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Britt - 2.

[Reimbursement to Employees]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty; consisting of 2 warrants in the aggregate amount of \$10,995.90.
(Finance Committee)

File 51-91-2.2, Resolution No. 1039-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Britt - 2.

Recommendations of Administration and Oversight Committee

Adopted

[Appointment]

Resolution appointing member to the Open Space/Park Renovation Citizens Advisory Committee, for the two-year term ending July 15, 1993. (Administration and Oversight Committee)

File 92-91-27.4, Resolution No. 1040-91

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(Barbara A. Judy, Urban Gardeners, vice Patricia Kennedy, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Britt - 2.

From the Board

Finally Passed

[Redevelopment Plan Amendment]
Ordinance amending Ordinance No. 14-81, amended by Ordinance No. 50-84, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to permit residential uses on two (2) parcels within the South Beach sub-area: Parcel I-1 (Oriental Warehouse and Palmisano parcels, located on First and Brannan Streets) and Parcel D, located on the northwest corner of Bryant and Beale Streets; permit office uses and delete hotel use on Parcel C-1, located on the northwest corner of Folsom and Stewart Streets within the Rincon Point sub-area; increase the height limit on Parcels I-1 and I-3 from 105 to 160 feet; increase the residential density on Parcel E-1 (northeast corner of Bryant and First Streets) from 110 to 130 dwelling units per acre; require the Agency to impose fees, conditions and exactions to commercial office developers within the Rincon Point sub-area; include the Agency's housing participation policy; permit alternative land uses to be combined on the same parcel; allow the Redevelopment Agency, on a short term basis, to lease any of its property for uses which are not in conformance with the adopted Redevelopment Plan; and adopting further proposed changes to the proposed amendment to the plan. (Redevelopment Agency)

File 151-91-2, Ordinance No. 1002-91

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Britt - 2.

NEW BUSINESS

Recommendations of City Services Committee

Passed for Second Reading

[Width of Sidewalk]
Ordinance amending Ordinance No. 1061 entitled, "Regulating the

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Width of Sidewalks" by adding Section 1506 changing the official width of sidewalk on the west side of 19th Avenue from approximately 336.9 feet north and 82.7 feet south of Monte Vista Drive as shown on the Department of Public Works Plan Q-20-387, and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-91-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Britt - 2.

[Fire Alarm System Permit]

Ordinance granting a permit to Simplex Time Recorder Company to connect such auxiliary fire alarm systems as may be approved by the General Manager, Department of Electricity, to the Municipal Fire Alarm System and to maintain the same in electrical-mechanical connection therewith through the medium of master fire alarm boxes and stipulating the conditions, restrictions, and requirements under which the said permit is granted. (Chief Administrative Officer)

File 250-91-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Britt - 2.

Adopted

[Permit]

Resolution granting revocable permission to 235 Pine Associates to occupy a portion of the street area at Commercial Street between Montgomery and Sansome Streets with curb bulbs, benches, bollards and other related improvements; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-91-6, Resolution No. 1026-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Britt - 2.

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[Permit]

Resolution granting revocable permission to Markborough California Properties, Inc. to install a PG&E transformer vault under the Mission Street side of 101 Second Street (Block 3721, Lot 89), and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-91-7, Resolution No. 1027-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Britt - 2.

Recommendations of Economic and Social Policy Committee

Passed for Second Reading

[Parking Control]

Ordinance amending Traffic Code, to include the portion of 24th Avenue specified in former Section 32.6.9 plus portions of Jones Street and McAllister Street. (Department of Parking and Traffic)

File 124-91-8, Ordinance No.

(Amends Section 32.6.7;
Repeals Section 32.6.9.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Britt - 2.

Adopted

[Redistricting]

Resolution placing the City and County of San Francisco on record in support of the Reapportionment Plan approved by the State Legislature which includes two State Senate Districts and two Congressional Districts in the City and County. (Supervisors Shelley, Maher)

File 12-91-46, Resolution No. 1005-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Britt - 2.

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[Interim Control]

Resolution imposing Interim Controls to prohibit for a period of 12 months the approval of permits establishing new adult entertainment enterprises in Northern Waterfront Special Use District No. 2. (Supervisors Shelley, Alioto)

File 111-91-2, Resolution No. 1041-91

(Exempt from Environmental Review.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

[Interim Controls]

Resolution order directing the Zoning Administrator, the Superintendent of the Bureau of Building Inspection, the Board of Permit Appeals, and other permit-issuing and permit-approving agencies to suspend action on permit applications authorizing the establishment of new adult entertainment enterprises in Northern Waterfront Special Use District No. 2 pending final action on Interim Zoning Controls. (Supervisors Shelley, Alioto)

File 111-91-2.1, Resolution No. 1042-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

[Public Toilets]

Resolution urging the Mayor to urge the Chief Administrative Officer, the Department of Public Works and the Recreation and Park Commission to investigate the placing of public toilets in the Tenderloin and Mission Districts of the city, and urging that in other areas of the city, public toilets that now exist be made available for use by the public. (Economic and Social Policy Committee)

File 244-91-1, Resolution No. 1043-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

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SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of appeal from the decision of the City Planning Commission by its Motion No. 13185, dated October 10, 1991, approving a Conditional Use Application No. 91.448C, authorizing the establishment of a Residential Board and Care Substance Abuse Recovery Program for up to twenty adult males of property located at 940 Haight Street, north side between Broderick and Divisadero Streets; Lot 13 in Assessor's Block 1237.

File 37-91-8

(Appeal filed November 8, 1991.)

(Environmental Review categorically exempt.)

The following persons were sworn in and granted privilege of the floor:

Peter Gardner;
Tim Doe;
Denhert Queen;
Elaine Gardner;
Cypress Carter;
Levla Gardner;
James Tesserhoff;
Stoner Lick;
Dr. Israel;
Wayne Clark, DPH, Substance Abuse;
Ron Cook;
Tomeka Turner.

There being no one else to speak, the President closed the public hearing.

From the Clerk

Adopted

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13185, approving a Conditional Use Application No. 91.448C, authorizing the establishment of a Residential Board and Care Substance Abuse Recovery Program for up to twenty adult males of property located at 940 Haight Street.

File 37-91-8.1

Supervisor Kennedy, seconded by Supervisor Hallinan, moved adoption.

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Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Achtenberg, Britt, Maher - 3.

Tabled

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13185, approving a Conditional Use Application No. 91.448C, authorizing the establishment of a Residential Board and Care Substance Abuse Recovery Program for up to twenty adult males of property located at 940 Haight Street.

File 37-91-8.2

Supervisor Kennedy, seconded by Supervisor Migden, moved to table.

Motion to Table adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Achtenberg, Britt, Maher - 3.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed conditional use authorization of property located at 940 Haight Street, for action by the Board at its next meeting.

File 37-91-8.3

Supervisor Kennedy, seconded by Supervisor Migden moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Achtenberg, Britt, Maher - 3.

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PUBLIC COMMENT

The Privilege of the floor was granted to the following persons:

Denhert Queen;
Camille Moran.

Appointment of President Pro Temp

At the request of the President, Supervisor Kennedy assumed the Chair.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Involuntary Poverty]

Resolution supporting the national campaign to abolish involuntary poverty. (Supervisors Migden)

File 43-91-7, Resolution No. 1037-91

(November 18, 1991 - Introduced in Board for consideration on November 25, 1991.)

Adopted.

[MBE/WBE/LBE]

Motion authorizing the transfer of \$5,000, subject to the approval of the Controller, from the salary account of the budget of the Board of Supervisors for Legislative Policy Analysts to the professional services account of the budget of the Board of Supervisors. (Supervisor Migden)

File 54-91-3

(November 18, 1991 - Consideration continued to November 25, 1991.)

Adopted.

[Condominium]

Motion approving final map of 3301 Mission street, a condominium project, being a resubdivision of Lot 32 in Assessor's Block 5615,

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and adopting findings pursuant to City Planning Code Section 101.1.
(Department of Public Works)

File 58-91-34

(November 18, 1991 - Introduced in Board for consideration on
November 25, 1991.)

Adopted.

The foregoing items on the For Adoption Without Committee
Reference Calendar were adopted upon by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy,
Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Britt - 2.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye"
vote is (a) a vote to find that the need to take action arose after
the calendar was published (if the resolution is not printed on this
calendar), and (b) a vote to adopt the resolution. A unanimous vote
is required for adoption today. Any Supervisor may require any of
these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county
officers with permission to leave the state. (Clerk of the Board)

File 1-91-47, Resolution No. 1007-91

(Roberta Achtenberg, member, Board of Supervisors, November 22 -
December 1, 1991.)

Adopted.

[Election Declaration]

Resolution declaring the results of the General Municipal Election
conducted November 5, 1991, in the City and County of San Francisco.
(Clerk of the Board)

File 60-91-13, Resolution No. 1012-91

Adopted.

(The Immediate Adoption Calendar includes the following
additional resolutions submitted after preparation of the
calendar.)

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Adopted

[Commendation]

Resolution celebrating the Twentieth Anniversary of the first printing of Del Martin and Phyllis Lyon's Book Lesbian/Woman.

File 6-91-15, Resolution No. 1008-91

Supervisors Migden, Achtenberg, Britt, Hallinan presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Castro Street, between 18th Street and 19th Streets, on Sunday, December 8, 1991, from 3:00 p.m. to 9:00 p.m., for a Castro Christmas Tree Lighting celebration; providing for Municipal Railway reimbursement.

File 42-91-78, Resolution No. 1009-91

Supervisor Migden presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of portion of Powell Street, between Bay and Francisco Streets, Wednesday, December 11 through Thursday, December 12, 1991, from 3:00 p.m. to 1:00 a.m., for a movie premiere to benefit school children in San Francisco and providing for insurance.

File 42-91-79, Resolution No. 1010-91

Supervisor Alioto presented for immediate adoption.

Adopted.

[Meeting Schedule]

Resolution revising the regular meeting schedule of the Board of Supervisors by cancelling the meeting of December 23, 1991.

File 54-91-4, Resolution No. 1011-91

Supervisor Ward presented for immediate adoption.

Adopted.

[Sister City Relationships]

Resolution recognizing that San Francisco has seventeen (17) Sister City relationships around the world, and to continue the excellence in international relations and exchanges of the Sister City Program to the benefit of all the citizens of San Francisco and its Sister

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Cities, the Sister City Programs should equally extend economic, educational, and cultural opportunities to the various segments of its population to include African Americans, Native Americans, Hispanics, Asians, and Caucasians.

File 214-91-4, Resolution No. 1013-91

Supervisor Ward presented for immediate adoption.

Adopted.

[Log Cabin Ranch]

Resolution requesting the Mayor to support the recommendations of the Juvenile Probation Commission and the Juvenile Justice Commission.

File 254-91-1, Resolution No. 1014-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Maher - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Permit Processing, Asbestos Work]

DRAFT ordinance amending Part II, Chapter 1 (Building Code) of the San Francisco Municipal Code by amending Sections 301(b), 306(a), 306(b), 306(c), 402 and 404 thereof pertaining to special inspections following asbestos-related work to ensure a building is safe for reoccupancy and adopting findings. (Supervisor Hsieh presented.) Referred to City Services Committee.

File 114-90-9

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Lillian Johnson v the City and County of San Francisco for \$44,676.39. (Supervisor Ward presented.) Referred to Administration and Oversight Policy Committee.

File 45-91-67

Monday, November 25, 1991

[Government Funding]

Ordinance appropriating \$200,00 for capital improvement project (Civic Center Power House Safety Improvements), Public Works for fiscal year 1991-92. (Supervisor Hallinan presented on behalf of Controller.) Referred to Finance Committee with request it be considered at its November 27, 1991, meeting.

File 101-91-27

[Business Tax Registration Certificates]

Ordinance amending Chapter 1 of Part III (Miscellaneous) of the San Francisco Municipal Code by amending Section 26 and by adding Section 41 to require all departments to require Business Tax Registration Certificate numbers from all contractors and sub-contractors for permits and Certificates of Final Completion related to building or construction and to prescribe penalties for failure to make disclosures of contractors and subcontractors; amending the San Francisco Building Code by amending Section 302(a)1. to reference requirement in Municipal Code for identity of and Business Tax Registration Certificates numbers of all subcontractors upon application for permit for construction; amending the San Francisco Building Code by amending Section 307 (d and g) to reference requirement in Municipal Code for identity of and Business Tax Registration Certificates numbers of all subcontractors upon application for issuance of a Temporary Certificate of Completion or Certificate of Final Completion; amending the San Francisco Electrical Code by amending Article 90-25 to reference requirement in Municipal Code for identity of and Business Tax Registration Certificate numbers of all subcontractors upon application for issuance of a permit; amending the San Francisco Plumbing Code by amending Section 20.6 to reference requirement in Municipal Code for identity of and Business Tax Registration Certificate numbers of all subcontractors upon application for issuance of a permit. (Supervisor Gonzalez presented.) Referred to City Services Committee.

File 114-91-12

[Peninsula Corridor]

Resolution authorizing execution of a Real Property Ownership Agreement between the members of the Peninsula Corridor Joint Powers Board to provide for an orderly system of management, development and eventual disposition of the property and for appropriate rights and protections relative to SAMTRANS advance of funds for the purchase of the property. (Supervisor Hsieh presented.) Referred to Economic and Social Policy Committee with request it be considered at its December 17, 1991, meeting.

File 171-91-20

Requests for Hearings

File 107-91-6, By Supervisor Alioto: To consider the status of the Department of Social Services' search for alternative housing for its General Assistance Program, specifically on alternatives to the Delta Dental Building. Referred to City Services Committee.

Monday, November 25, 1991

File 121-91-13, By Supervisor Alioto: To consider reviewing current regulations and permitting system for tattoo artists and tattoo parlors, especially in light of possible blood-borne diseases and sterilization procedures. Referred to City Services Committee.

File 284-91-1, By Supervisor Migden: To consider amending the definition of local business enterprise in the MBE/WBE/LBE ordinance, with the goal of increasing the opportunity for small and mid-sized businesses to obtain City contracts for goods and services. Referred to Economic and Social Policy Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-91-66. [Settlement of Lawsuit] Authorizing settlement of litigation of Stacy & Witbeck against the City and County of San Francisco by payment of \$1,466,000. (City Attorney). Administration and Oversight.

File 65-91-8. [Lease of AIDS Research Center] Authorizing and approving lease of the Fifth and Sixth Floors of Building 3 at San Francisco General Hospital to the Regents of the University of California. (Real Estate Department). Finance.

File 101-91-28. [Government Funding] Appropriating \$269,250, Department of City Planning, for capital improvement project (Mission Bay Project). RO #91105. (Controller). Finance.

File 123-91-3. [Water Pollution Control] Amending Public Works Code by repealing the existing industrial waste discharge regulations set forth in the Public Works Code as Article 4.1, Sections 118-124; and by adding a new and expanded Industrial Waste Ordinance regulating the discharge of industrial wastes into the City sewerage system. (Department of Public Works). Economic and Social Policy.

Resolutions Referred to Committee

File 7-91-17. [Public Transportation] Approving partial abandonment of service of Municipal Railway Line 1-California; companion measure to File 7-91-17.1. (Public Utilities Commission). Scheduled for Public Hearing before Board on December 16, 1991 at 3:00 p.m.

File 7-91-17.1. [Public Transportation] Disapproving partial abandonment of service of Municipal Railway Line 1-California; companion measure to File 7-91-17. (Public Utilities Commission). Scheduled for Public Hearing before Board on December 16, 1991 at 3:00 p.m.

File 61-91-5. [Contract Award Extension] Granting extension of time for awarding Municipal Railway Contract No. MR-889R; Flynn Facility Modifications. (Public Utilities Commission). Finance.

Monday, November 25, 1991

File 64-91-32. [Lease of Property] Authorizing amendment to lease of real property at 471 Jessie Street, ground floor for the Department of Public Health for use as an outpatient mental health clinic. (Real Estate Department). Finance.

File 146-91-82. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Services, Special Programs for Youths as subgrantee, accept and expend a grant of \$30,860, which includes no indirect costs, from Catholic Charities as the primary grantee, from the Office of Human Development Services, U.S. Health and Human Services, for health care services to homeless youth; waiving indirect costs. (Department of Public Health). Finance.

File 146-91-83. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of \$6,099,135, which includes indirect costs of \$408,726 based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control to continue funding the AIDS/HIV Prevention Project. (Department of Public Health). Finance.

File 146-91-84. [Grant - State Funds] Authorizing the Department of Public Health, Bureau of Health Promotion and Education, to apply for accept and expend a grant allocation of \$1,063,009, which will include indirect costs equal to fifteen percent of personnel costs, from the State Department of Health Services for the continuation of the Comprehensive Tobacco Control Plan funded by AB99 and to authorize amendments to the contract with the State regarding use of these funds. (Department of Public Health). Finance.

File 146-91-85. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of \$2,468,345, which includes indirect costs of \$268,122 based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control to continue funding the AIDS Surveillance Project. (Department of Public Health). Finance.

File 150-91-3. [Grant - Federal Funds] Authorizing Recreation and Park Department to apply for a grant in the amount of \$150,000 from the Habitat Conservation Fund Program of the California Wildlife Protection Act of 1990 for India Basin Wetlands Restoration Phase I Project. (Recreation and Park Department). Finance.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that a letter be sent to the Mayor, City Attorney, Fire Department and Civil Service Commission inquiring about the passing over of Mr. Marty Ross for promotion to Lieutenant in the Fire Department.

Monday, November 25, 1991

By Supervisor Kennedy, that the City Attorney prepare legislation amending Resolution No. 900-91, "Doyle Drive Task Force" to add one (1) member from the Transportation Authority: Director, or staff designee.

By Supervisor Kennedy, that a letter be sent to the San Francisco Maternal, Child and Adolescent Health Advisory Board, c/o Department of Public Health, 101 Grove Street, San Francisco, CA 94102 supporting the development of a "Public Forum" to obtain input regarding the health needs of children under eighteen (18) in the City and County of San Francisco.

By Supervisor Kennedy, that a letter be sent to the Commission on the Aging inquiring into the possibility of establishing a "Dial-A-Ride" program in San Francisco similar to those established in San Mateo, Pacifica and Los Angeles.

By Supervisor Kennedy, that a letter be sent to the Mayor and Chief Administrative Officer inquiring into San Francisco becoming a Sustaining Associate Member of the National Forum for Black Public Administrators.

By Supervisor Kennedy, that a letter be sent to the Mayor inquiring if he plans to re-open the Armory or a similar building during the cold evenings and nights for the homeless.

By Supervisor Alioto, that a letter be sent to the Director of the Department of Social Services inquiring into the termination of Karen Pierce, head of the Food Stamp Program.

By Supervisor Hallinan on behalf of the Recreation and Park Department, that the City Attorney prepare a Charter amendment making the 2290 Zoo Veterinarian position exempt from the provisions of the Civil Service Commission.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Henry Soares (Supervisor Migden)
Fred Skau (Supervisor Migden)

File 2-91-47

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:05 p.m. adjourned.

Monday, November 25, 1991

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, November 25, 1991

Approved by the Board of Supervisors on November 16, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 86

No. 48

2.2
2/9/91

Monday, December 9, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, December 9, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Shelley, Ward - 6.

Noted absent at first roll call:

Supervisors Britt, Gonzalez, Kennedy, Maher, Migden - 5.

Quorum present.

Supervisor Britt on official leave of absence.

Supervisor Gonzalez was noted present at 2:08 p.m.

Supervisor Kennedy was noted present at 2:08 p.m.

Supervisor Maher on official leave of absence.

Supervisor Kennedy was noted present at 2:08 p.m.

Supervisor Migden was noted present at 2:08 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Achtenberg, seconded by Supervisor Kennedy, moved that the Journal of Proceedings for Monday, March 4, 1991, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Monday, December 9, 1991

Absent: Supervisors Alioto, Britt, Maher - 3.

CONSENT CALENDAR

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$185,000, Port Commission, for judgments and claims, for fiscal year 1991-92. (Controller)

File 101-91-22, Ordinance No.

Passed for second reading.

[Government Funding]

Ordinance appropriating \$95,018, Department of Public Health, Central Office, for permanent salaries-miscellaneous and related mandatory fringe benefits, other current expenses and materials and supplies, for the creation of four positions, for fiscal year 1991-92. (Controller)

File 101-91-25, Ordinance No.

Passed for second reading.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1991-92, Department of Public Health, Central Office for HIV Youth Outreach by the AIDS Office, reflecting the addition of four positions (Classifications (1) 2819 Assistant Health Educator (2) 9912 Public Service Aide-Technical and (1) 9924 Public Service Aide-Health Services); companion measure to File 101-91-25. (Civil Service Commission)

File 102-91-11, Ordinance No.

Passed for second reading.

Adopted

[Airport Administration]

Resolution approving a declaration of emergency, electrical equipment failure in Station "TR", San Francisco International Airports - \$80,125. (Airports Commission)

File 28-91-13, Resolution No. 1055-91

Adopted.

Monday, December 9, 1991

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Yolanda Terry against the City and County by payment of \$12,000. (City Attorney)

File 45-91-61, Ordinance No.

(Municipal Court No. 001-033.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Maria-Ester De Anda against the City and County by payment of \$11,000. (City Attorney)

File 45-91-63, Ordinance No.

(Municipal Court No. 028-239.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Douglas K. Cowger against the City and County by payment of \$40,000. (City Attorney)

File 45-91-64, Ordinance No.

(Superior Court No. 876-351.)

Passed for second reading.

Recommendations of City Services Committee

Finally Passed

[Width of Sidewalk]

Ordinance amending Ordinance No. 1061 entitled, "Regulating the Width of Sidewalks" by adding Section 1506 changing the official width of sidewalk on the west side of 19th Avenue from approximately 336.9 feet north and 82.7 feet south of Monte Vista Drive as shown on the Department of Public Works Plan Q-20-387, and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-91-2, Ordinance No. 406-91

Finally passed.

Monday, December 9, 1991

[Fire Alarm System Permit]

Ordinance granting a permit to Simplex Time Recorder Company to connect such auxiliary fire alarm systems as may be approved by the General Manager, Department of Electricity, to the Municipal Fire Alarm System and to maintain the same in electrical-mechanical connection therewith through the medium of master fire alarm boxes and stipulating the conditions, restrictions, and requirements under which the said permit is granted. (Chief Administrative Officer)

File 250-91-1, Ordinance No. 408-91

Finally passed.

Recommendation of Economic and Social Policy Committee

Finally Passed

[Parking Control]

Ordinance amending Traffic Code, to include the portion of 24th Avenue specified in former Section 32.6.9 plus portions of Jones Street and McAllister Street. (Department of Parking and Traffic)

File 124-91-8, Ordinance No. 407-91

(Amends Section 32.6.7;
Repeals Section 32.6.9.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Alioto, Britt, Maher - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Adopted

[Findings]

Motion adopting findings for the approval of a Conditional Use of property at 940 Haight Street, Lot 13 in Assessor's Block 1237.

File 37-91-8.4

Monday, December 9, 1991

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Britt, Maher - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$23,000,000, Department of Public Health - Community Mental Health Services, for various capital improvement projects, for the creation and deletion of one position, for fiscal year 1991-92; placing \$21,624,800 on reserve. (Controller)

File 101-91-10, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1991-92, Department of Public Health, San Francisco General Hospital, reflecting the addition and deletion of one position Classification A942 Senior Associated Administrator, for the 1987 Mental Health Skilled Nursing Facility Bond Program; companion to File 101-91-10. (Civil Service Commission)

File 102-91-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Adopted

[Mental Health Facility]

Resolution adopting Final Environmental Impact Report finding that the construction of Mental Health Skilled Nursing Facility at San

Monday, December 9, 1991

Francisco General Hospital will have no significant impact on the environment and making Proposition M findings; companion to Files 101-91-10 and 102-91-5. (City Planning)

File 30-91-19, Resolution No. 1056-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Government Funding]

Ordinance appropriating \$20,000, Municipal Railway, for permanent salaries, mandatory fringe benefits, for the creation of one position, for fiscal year 1991-92; no General Fund monies shall be used to fund this position. (Controller)

File 101-91-20, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Public Employment]

Ordinance amending Ordinance No. 304-91, Annual Salary Ordinance, 1991-92, Municipal Railway, reflecting the addition of one position (Classification 1771 Media Production Specialist); companion measure to File 101-91-20. (Civil Service Commission)

File 102-91-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Government Funding]

Ordinance appropriating \$37,598, Police Department, for permanent salaries-miscellaneous and related mandatory fringe benefits, for the creation of one position for fiscal year 1991-92; subject of previous budgetary denial; placing \$10,902 into general reserve. (Controller)

File 101-91-23, Ordinance No.

Monday, December 9, 1991

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Public Employment]

Ordinance amending Ordinance No. 304-91, Annual Salary Ordinance, 1991-92, Police Department, reflecting the addition of one position Classification 5320 Illustrator and Art Designer; companion measure to File 101-91-23. (Civil Service Commission)

File 102-91-10, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Government Funding]

Ordinance appropriating \$200,000, Public Works, for capital improvement project (Civic Center Power House Safety Improvements) for fiscal year 1991-92; placing \$160,000 on reserve. (Controller)

File 101-91-27, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[War Memorial Concession Agreement]

Ordinance approving the five year extension of agreement retroactively between Restaura, Division of Dial Corporation, and the War Memorial Board of Trustees. (War Memorial and Performing Arts Center)

File 62-91-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Monday, December 9, 1991

Passed for Second Reading as Amended

(Supervisor Hallinan dissenting in Committee.)

[Business/Payroll Expense Tax Exemptions]

Ordinance amending Article 12-A of Part III of San Francisco Municipal Code (Payroll Expense Tax Ordinance) by amending Section 906 thereof to exempt from tax any tenant of the Port of San Francisco whose principal business is ship repair and whose workforce consists of at least thirty percent San Francisco residents, and to also exempt any subcontractor of any such exempt ship repair business whose workforce consists of at least thirty percent San Francisco residents, provided that it derives at least seventy percent of its revenues from the ship repair industry; and amending Article 12-B of Part III of the San Francisco Municipal Code (Business Tax Ordinance) by adding Section 1005.4 thereto to exempt from tax any tenant of the Port of San Francisco whose principal business is ship repair and whose workforce consists of at least thirty percent San Francisco residents, and to also exempt any subcontractor of any such exempt ship repair business whose workforce consists of at least thirty percent San Francisco residents, provided that it derives at least seventy percent of its revenues from the ship repair industry; operative date of July 1, 1992, and expiring June 30, 1994. (Supervisor Gonzalez)

File 127-91-13, Ordinance No.

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisor Hallinan - 1.

Absent: Supervisors Britt, Maher - 2.

Passed for Second Reading

[Amendment to Terminal Operating Agreement]

Ordinance approving Fifth Amendment with Fred F. Noonan Company Inc., to increase service area at Seawall Lot 349 and to provide for annual reporting procedures of sublease revenues. (Port)

File 173-91-9, Ordinance No.

Monday, December 9, 1991

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Waid - 9.

Absent: Supervisors Britt, Maher - 2.

Adopted

[Contract Approval Trolley Coaches Purchase]

Resolution authorizing San Francisco Municipal Railway to modify a contract with New Flyer Industries Limited to exercise the option to purchase twenty-five additional Articulated Trolley Coaches at a cost not to exceed \$15,300,000. (Public Utilities Commission)

File 7-91-15, Resolution No. 1054-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Contract Award Extension]

Resolution granting extension of time for awarding Hetch Hetchy Contract No. HH-830, San Joaquin Pipeline No. 2, Repair Mortar Lining, Segment II to October 8, 1991, retroactively. (Public Utilities Commission)

File 61-91-3, Resolution No. 1058-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Grant - Federal Funds]

Resolution authorizing the Mayor to apply for, accept and expend funds in the amount of \$616,522, which include indirect costs in the amount of \$12,330 or two percent of the total grant award, made available through the Department of Health and Human Services for a project entitled "San Francisco Gang Prevention Program" and agreeing to provide in kind match in the amount of \$391,955, providing for ratification of action previously taken. (Mayor)

File 68-91-6, Resolution No. 1059-91

Adopted by the following vote:

Monday, December 9, 1991

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Adopted as Amended

[Federal Funding - Community Development]
Resolution approving the 1992 Community Development Program and authorizing the Mayor on behalf of the City and County of San Francisco to apply for, accept, and expend the City's 1992 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development, transfer and expend reprogrammed funds from prior year Community Development Programs and program income from the S.F. Redevelopment Agency up to \$20,093,535, which include indirect costs of \$80,000; approving expenditure schedules for recipient departments and agencies and for indirect costs, and determining no environmental evaluation is required, authorizing the receipt and deposit in contingencies of 1992 CDBG entitlement funds in excess of \$20,093,535. (Mayor)

File 79-91-2, Resolution No.

Appointment of President Pro Tempore

At the request of the President, Supervisor Alioto assumed the Chair so the President could participate in the debate from the floor.

Supervisor Achtenberg, seconded by Supervisor Hsieh, moved to amend Expenditure schedule to add as follows: SF Neighborhood Legal Assistance Foundation - \$41,669.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Supervisor Hsieh, seconded by Supervisor Achtenberg, moved to amend Expenditure schedule add as follows: Project Excell II - \$27,842.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Monday, December 9, 1991

Supervisor Gonzalez, seconded by Supervisor Shelley, moved to amend Expenditure schedule to add as follows: Mission Economic Development Association - \$10,500; Mission Housing Development Corporation - \$15,000.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Supervisor Shelley, seconded by Supervisor Achtenberg, moved to amend Expenditure schedule to add as follows: Men Overcoming Violence - \$5,000.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Supervisor Ward, seconded by Supervisor Kennedy, moved to amend Expenditure schedule to add as follows: Hunters Point Youth Park Foundation - \$20,000.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Supervisor Kennedy, seconded by Supervisor Ward, moved to resolve remaining contingency for later allocation.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

The President reassumed the Chair.

Monday, December 9, 1991

Adopted

[Grant - State Funds]

Resolution authorizing Chief Administrative Officer to apply for funds in the amount of \$15,461, which include indirect costs in the amount of \$736 or five percent of the total grant award, made available from the California Department of Toxic Substance Control (DTSC); providing for ratification of action previously taken. (Chief Administrative Officer)

File 133-91-5, Resolution No. 1067-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Grant - State Funds]

Resolution rescinding Resolution No. 932-91 and authorizing the Chief of Police to apply for, accept and expend funds in the amount of \$99,610 which include indirect costs in the amount of \$6,641 or five percent of the total grant award, made available through the Office of Criminal Justice Planning for a project entitled "Gang Violence Suppression Program" and agreeing to provide cash match in the amount of \$33,204; providing for ratification of action previously taken. (Supervisor Gonzalez)

File 143-91-5, Resolution No. 1068-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Alioto assumed the Chair.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Community Public Health, Bureau of Health Promotion and Education, to expend \$93,332 of grant funds which excludes indirect costs from the State Department of Health Services to fund the contractor, Hispanic Headquarters Advertising, to implement a tobacco prevention media campaign targeting Latino youth. (Department of Public Health)

File 146-91-1.1, Resolution No. 1069-91

Monday, December 9, 1991

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Grant - Funds]

Resolution authorizing the Department of Public Health, Homeless Programs, to accept and expend a gift of \$18,412 from Plaza Funding and Comic Relief for the provision of services to the homeless; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-6.2, Resolution No. 1070-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

[Grant - Federal Fund.]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a contribution grant of \$1,820,561, which includes indirect costs of \$105,899 based on twenty percent of personnel costs, from the Department of Health Services, Centers for Disease Control, to continue funding the Epidemiologic Study of the Natural History of HIV/AIDS in Homosexual/Bisexual Men previously enrolled in studies of Hepatitis B Infection, and to continue financing Civil Service positions for the provision of these services; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-64.1, Resolution No. 1044-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Central Office, Community Public Health and Community Mental Health Services, to accept and expend in Fiscal Year 1991-92 funds of up to \$823,196 which includes indirect costs in the amount of approximately \$135,033 based on 16% of the total award from the State Department of Health Services, State Legalization Impact Assistance Grant (SLIAG) for unreimbursed public health care costs

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of persons who are legalized pursuant to the provisions of the Immigration Reform and Control Act (IRCA), and to authorize the expenditure of grant funds to continue financing Civil Service positions for the provision of these services. (Mayor)

File 146-91-80, Resolution No. 1052-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

[Grants - Federal and State Funds]

Resolution authorizing Director of Public Works to execute the necessary documents to accept and expend \$453,392, which includes indirect costs of \$52,580 or seven percent of the total project budget of \$723,000, from U.S. Department of Transportation and the California Department of Transportation for seismic retrofit of the six pedestrian overcrossings at Miraloma Drive (Portola) (Br. No. 34C-0039), Steiner Street (Geary) (Br. No. 34C-0041), Jamestown Way (Br. No. 34C-0047), Harney Way (Br. No. 34C-0048), Army Street Circle (Br. No. 34C-0070) and Gilman Avenue (Br. No. 34C-0071); authorizing local match from fiscal year 1991-92 half-cent sales tax revenues of \$269,608 or 30 percent of total project budget; and placing \$482,000 of total project budget on reserve. (Public Works)

File 148-91-12, Resolution No. 1071-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

The President reassumed the Chair.

[Grant - Federal Funds]

Resolution authorizing Recreation and Park Department to accept and expend a grant in the amount of \$249,900, which includes indirect costs of \$12,495 or 5% of grant, from the Urban Parks and Recreation Recovery Act for renovation of the Potrero Hill Recreation Center; \$107,207 in matching funds to be provided; placing \$249,900 on reserve. (Recreation and Park Department)

File 150-91-1.2, Resolution No. 1072-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

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Absent: Supervisors Britt, Maher - 2.

[Grant - Federal Funds]

Resolution authorizing Recreation and Park Department to accept and expend a grant in the amount of \$189,870, which includes indirect costs of \$9,494 or 5% of total grant, from Land and Water Conservation Funds for Lake Merced Perimeter Walkway Project; placing \$189,870 on reserve. (Recreation and Park Department)

File 150-91-2.1, Resolution No. 1073-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Alioto, Britt, Maher - 3.

[Grant - State Funds]

Resolution authorizing the Recreation and Park Department to apply for grant funds in the amount of \$150,000, which includes \$20,100 for indirect costs, from the Habitat Conservation Fund Program of the California Wildlife Protection Act of 1990 for India Basin Wetlands Restoration Phase I Project. (Recreation and Park Department)

File 150-91-3, Resolution No. 1053-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Alioto, Britt, Maher - 3.

Consideration Continued

[Housing Revenue Bond]

Resolution of the Board of Supervisors of the City and County of San Francisco authorizing the issuance, sale and delivery of City and County of San Francisco Multifamily Housing Revenue Bonds, (The Artark Apartments), 1991, Issue A, in a principal amount not to exceed one million seven hundred eighty thousand dollars (\$1,780,000); approving and authorizing the execution and delivery of an indenture of trust, a loan agreement and a regulatory agreement and declaration of restrictive covenants; and authorizing the execution and delivery of and approving other related documents and actions in connection therewith. (Supervisor Gonzalez)

File 170-91-8, Resolution No.

Supervisor Gonzalez, seconded by Supervisor Hsieh, moved to continue consideration to January 6, 1992.

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Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Adopted

[Reimbursement from Bond Proceeds]

Resolution declaring official intent of the City and County to reimburse funds for repair of the Civic Center Heating System from proceeds of taxable or tax-exempt indebtedness. (Supervisor Hallinan)

File 170-91-9, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Indemnification Agreement]

Resolution authorizing an indemnity provision in Design and Construction Agreements between the City and County, acting through the Public Utilities Commission and the State of California. (Public Utilities Commission)

File 191-91-2, Resolution No. 1076-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Recommendations of Administration and Oversight Committee

Adopted

[Appointment]

Resolution appointing members to the Emergency Medical Care Committee; making findings waiving residency requirement. (Administration and Oversight Committee)

File 92-91-14.3, Resolution No. 1061-91

(Penny Holland, R.N., representing the West Bay Hospital Conference, vice Louis Giancola, resigned, for the unexpired portion of the three-year term ending June 30, 1992.)

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Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Appointment]

Resolution appointing member to the Emergency Medical Care Committee. (Administration and Oversight Committee)

File 92-91-14.8, Resolution No. 1062-91

(Dr. Deborah J. Owen, Fire Department, vice Richard Allen, term expired, for the three-year term ending June 30, 1994.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Appointment]

Resolution appointing member to the Delinquency Prevention Commission. (Administration and Oversight Committee)

File 92-91-35, Resolution No. 1063-91

(Jennifer de Sousa, youth, vice Andante Higgins, term expired, for the two year term ending November 3, 1993.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Appointment]

Resolution appointing member to the Citizens Advisory Committee on Elections. (Administration and Oversight Committee)

File 92-91-37, Resolution No. 1064-91

(Daniel Kalb, vice Roger Cardenas, for unexpired portion of the four-year term ending May 15, 1994.)

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Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Appointment]

Resolution appointing member to the Bicycle Advisory Committee. (Administration and Oversight Committee)

File 92-91-38, Resolution No. 1065-91

(Joanna Callenbach, bicyclist at large, vice Maria Morales, resigned, for the unexpired portion of the three-year term ending December 31, 1993.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Recommendation of Administration and Oversight
and Finance Committees

Adopted

[Salary and Wage]

Resolution fixing highest generally prevailing wage rates, private employment on public contracts. (Civil Service Commission)

File 106-91-6, Resolution No. 1066-91

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Recommendations of Economic and Social Policy
and Finance Committees

Adopted

[Reinstatement of Parking Rates]

Resolution reinstating special Sunday parking rates at the Sutter-Stockton Parking Garage; requiring report from the Department

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of Parking and Traffic by June 1, 1992, analyzing the impact of this legislation. (Supervisor Gonzalez)

File 47-91-15, Resolution No. 1051-91

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Recommendation of City Services Committee

Adopted

[Diesel Bus Rerouting Off North Point Street]
Resolution urging the Mayor to urge the Parking and Traffic Commission and the Director of Parking and Traffic, the Public Utilities Commission and the Municipal Railway, the Planning Commission, and Golden Gate Transit to take all steps necessary to remove the three ton weight restriction for vehicles on Bay Street between Van Ness Avenue and Columbus for a six month trial period, and encourage diesel buses to move from North Point to Bay when traveling east bound during this trial period; urging that there be no new bus routes or increased numbers of bus runs initiated on already existing routes on North Point Street or on routes that move from North Point Street to Bay Street during the trial period; and requesting a report by August 1, 1992 from the Parking and Traffic Commission on the status of bus routing and intensity on North Point and Bay Streets. (City Services Committee)

File 237-91-1, Resolution No. 1077-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of persons interested in or objecting to vacation of portion of Powhattan Avenue lying between Andover and Moultrie Streets; authorizing sale thereof to the owners of the two abutting properties for \$25,000 and \$5,000.

File 164-91-4.1

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(Pursuant to Board of Supervisors Resolution No. 873-91, approved October 9, 1991.)

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

Terry Mills
Hohern Mejene
Bruce Barley
Sue Flecher
Karen Treaty

There being no one else present wishing to speak, the President declared the hearing closed.

From Economic and Social Policy Committee
Without Recommendation

Consideration Continued

[Street Vacation]

Ordinance ordering vacation of the portion of Powhattan Avenue lying between Andover and Moultrie Streets; authorizing sale thereof to the owners of the two abutting properties for \$25,000 and \$5,000, respectively; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 164-91-4.1, Ordinance No.

(Fiscal Impact.)

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to continue consideration to January 6, 1992.

Motion to continue adopted by the following vote:

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

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[Public Hearing]

Hearing of objections to report of assessment of costs submitted by the Director of Public Works for services ordered to be rendered by said Director pursuant to the provisions of Sections 203(m) and/or 203(o) of the Building Code; the costs thereof having been paid for out of the Repair and Demolition Fund.

File 41-91-3

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

Lynn Anderson

Lawrence Litchfield, Superintendent, Bureau of Building
Inspection, Department of Public Works

There being no one else present wishing to speak, the President declared the hearing closed.

From Department of Public Works

Refused Adoption

[Assessment of Costs]

Resolution confirming report of assessment of costs submitted by the Director of Public Works for services ordered to be rendered by said Director pursuant to the provisions of Sections 203(m) and/or 203(o) of the Building Code; the costs thereof having been paid for out of the Repair and Demolition Fund.

File 41-91-3, Resolution No.

(2101 Beach Street \$4,167.50.)

Refused adoption by the following vote:

Ayes: Supervisors Achtenberg, Hallinan, Migden - 3.

Noes: Supervisors Alioto, Gonzalez, Hsieh, Kennedy, Shelley - 5.

Absent: Supervisors Britt, Maher, Ward - 3.

COMMITTEE REPORTS

Adopted

[Peninsula Corridor]

Resolution authorizing execution of a real property ownership agreement between the members of the Peninsula Corridor Joint Powers Board to provide for an orderly system of management, development

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and eventual disposition of the property and for appropriate rights and protections relative to SAMTRANS advance of funds for the purchase of the property. (Supervisor Hsieh)

File 171-91-20, Resolution No. 1075-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Maher - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Denhart Queen

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Golden Gate Bridge Senior Toll]
Resolution urging the Mayor to urge the Golden Gate Bridge, Highway and Transportation District Board of Directors to grant seniors a \$1.00 toll when presenting a Medicare Card for identification. (Supervisor Kennedy)

File 55-91-3, Resolution No. 1057-91

(November 18, 1991 - Consideration continued to December 9, 1991.)

Adopted.

The foregoing item on the For Adoption Without Committee Reference Calendar was acted upon by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Shelley, Ward - 6.

Absent: Supervisors Achtenberg, Britt, Kennedy, Maher, Migden - 5.

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IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-48, Resolution No. 1045-91

(Ruth Astle, President, Rent Board, December 24 - 29; Rina Cutler, Executive Director, Parking and Traffic, November 25 - December 2; Kenneth Dowlin, City Librarian, December 9 - 13; Doug Engmann, member, City Planning Commission, December 4 - 13; H. Welton Flynn, member, Public Utilities Commission, December 1 - 4; Allen Haile, member, Social Services Commission, November 21 - 24; Anne Halsted, member, Port, December 5 - 8; Julia Lopez, General Manager, Department of Social Services, December 2 - 3 and 4; Leni Marin, member, Commission on the Status of Women, November 22 - December 16; H. Daniel McFarland, General Manager, Department of Electricity Telecommunications, December 9 - 12; Harry Parker, III, Director, Fine Arts Museums, December 19 - January 3; Louise Renne, City Attorney, November 30 - December 7; L.A. Turpen, Director of Airport, December 5 - 10; Bill Villa, member, Rent Board, December 8 - 10, 1991.)

Adopted.

[New Condominium Project]

Motion approving final map of 550 South Van Ness Avenue, being a resubdivision of Lot 3, in Assessor's Block 3570; and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Gonzalez)

File 58-91-35

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

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Adopted

[Street Closing]

Resolution authorizing temporary closing of a portion of Diamond Street, between 18th and 19th Streets, on Tuesday, December 24, 1991 at 9:00 p.m. until midnight Wednesday, December 25, 1991, for Christmas Midnight Mass at Most Holy Redeemer Catholic Church.

File 42-91-80, Resolution No. 1046-91

Supervisor Britt presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Ninth Avenue, between Balboa and Anza Streets, on Sunday, December 15, 1991, from 3:00 p.m. to 6:00 p.m., for a Ninth Avenue Christmas Party.

File 42-91-81, Resolution No. 1047-91

Supervisor Migden presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Herbst Road, between Skyline Boulevard; Great Highway, between Skyline Boulevard and Lincoln Avenue; Sloat Boulevard (easternmost parking lane) between Great Highway and 41st Avenue for the "17th Annual Zoo Run" sponsored by the San Francisco Zoological Society on Sunday, January 19, 1992, from 5:00 a.m. to 11:00 a.m. and providing for insurance.

File 42-91-82, Resolution No. 1048-91

Supervisor Migden presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion Washington Street, between Sansome and Montgomery Streets, from 8:00 p.m. to 11:55 p.m. on Monday, December 30, 1991; and from 5:00 p.m. on Tuesday, December 31, 1991, to 3:00 a.m. on Wednesday, January 1, 1992; Clay Street, between Sansome and Montgomery Streets, on Monday, December 30, 1991, from 6:00 p.m. to 11:55 p.m.; on Tuesday, December 31, 1991, from 12:05 a.m. to 6:00 p.m.; and from 6:00 p.m. on Tuesday, December 31, 1991, to 1:00 a.m. on Wednesday, January 1, 1992 and Hotaling Alley, between Washington and Jackson Streets, from 8:00 a.m. on Monday, December 30, 1991, to 9:00 p.m. for the "Lighting of the Transamerica Buildings for Live New Year's Eve Broadcast", sponsored by KRON TV 4 and Transamerica Corporation.

File 42-91-83, Resolution No. 1049-91

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Supervisor Gonzalez presented for immediate adoption.

Adopted.

[Doyle Drive Task Force]

Resolution amending Resolution No. 900-91, which created a Doyle Drive Task Force charged with investigating conditions on Doyle Drive and making recommendations to the Board of Supervisors to improve the safety of the conditions on Doyle Drive, by adding to the membership of the Task Force a representative of the San Francisco Transportation Authority. (Supervisor Kennedy presented.) Adopted.

File 55-91-2.2, Resolution No. 1050-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Shelley, Ward - 6.

Absent: Supervisor Achtenberg, Bratt, Kennedy, Maher, Minton - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Charter Amendment]

(First Draft) Amending Section 3.551 relating to the appointment and removal of civil service exempt executives of the Recreation and Park Department. (Supervisor Hallinan presented.) Referred to Administration and Oversight Committee.

File 257-91-1

[Special Use District-Haight Street]

Ordinance amending Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) by adding Section 249.12 to create the Haight Street Affordable Housing Special Use District, and finding consistency with Planning Code 101.1. (Supervisor Kennedy presented.) Referred to Economic and Social Policy Committee.

File 81-91-3

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[Transfer of Sick Leave/Vacation Benefits]

Ordinance amending Chapter 16, Article I of the San Francisco Administrative Code by amending Section 16.9-29(b) thereof, relating to transfer of sick leave and vacation benefits to catastrophically ill employees, by removing the requirement that an employee be unable to return to work for a least thirty days from the definition of catastrophically ill. (Supervisor Britt presented.) Referred to Economic and Social Policy Committee.

File 78-91-2

[Business/Payroll Tax Credits]

Ordinance amending Article 12-A of Part III of San Francisco Municipal Code (Payroll Expense Tax Ordinance) by adding Section 906A thereto to provide tax credits for persons who maintain a fixed place of business within the San Francisco Enterprise Zone and who create new jobs and hire employees qualified under specified government jobs programs; and amending Article 12-B of Part III of the San Francisco Municipal Code (Business Tax Ordinance) by adding Section 1005.5 thereto to provide certain tax credits for persons who maintain a fixed place of business within the San Francisco Enterprise Zone and who create new jobs and hire employees qualified under specified government jobs program; operative date. (Supervisors Hallinan, Kennedy presented.) Referred to Finance Committee.

File 127-91-15

[Mission Bay Port Agreement]

Ordinance authorizing the licensing of and the granting of options to license City-owned real property pursuant to the Mission Bay Port Agreement to license and to option. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the December 18, 1991, meeting.

File 255-91-1

[Mission Bay Port Land Transfer Agreement]

Ordinance authorizing transfer of City-owned real property and acquisition of certain real property pursuant to the Mission Bay Port Land Transfer Agreement. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the December 18, 1991, meeting.

File 255-91-2

[Mission Bay City Land Transfer Agreement]

Ordinance authorizing transfer of City-owned real property and acquisition of certain real property pursuant to the Mission Bay City Land Transfer Agreement. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the December 18, 1991, meeting.

File 255-91-3

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[MBE/WBE Subcontracting Program]

DRAFT ordinance amending the Administrative Code, Section 12D instituting a MBE/WBE Subcontracting Program for construction contracts. (Supervisor Kennedy presented.) Referred to Economic and Social Policy Committee.

File 97-91-58

[Business/Payroll Tax Task Force]

Resolution creating a Business/Payroll Tax Task Force for 11 members to be appointed by members of the Board of Supervisors, which shall present to the Board by June 1, 1992, a written report containing findings and recommendations regarding the City's Business and Payroll Taxes; the Task Force shall terminate after June 30, 1992. (Supervisor Gonzalez presented.) Referred to Economic and Social Policy Committee.

File 174-91-7

[Small Claims Filings-Pilot Study]

Resolution approving the participation of the City and County of San Francisco in a pilot project authorized by AB 1755 of 1991 to determine efficacy of use by public entities of the Small Claims Courts for actions on claims exceeding two thousand five hundred dollars (\$2,500). (Supervisor Shelley presented.) Referred to Finance Committee.

File 12-91-49

[Mission Bay Port Agreement]

Resolution finding that the licensing and the granting of options to license surplus City-owned Property pursuant to the Mission Bay Port Agreement to license and to option (to be entered into by the City and Catellus Development Corporation in furtherance of subsection 14.1(a) of the Development Agreement adopted and approved by Ordinance No. 60-91) are part of the Mission Bay Project for purposes of compliance with the California Environmental Quality Act and readopting the Mission Bay findings. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the December 18, 1991, meeting.

File 255-91-4

[Mission Bay City Land Transfer Agreement]

Resolution finding that certain proposed transfers of land in accordance with the City Land Transfer Agreement (to be entered into by the City and Catellus Development Corporation in furtherance of subsection 14.1(a) of the Development Agreement adopted and approved by Ordinance No. 60-91) are part of the Mission Bay Project for purposes of compliance with the California Environmental Quality Act and readopting the Mission Bay findings. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the December 18, 1991, meeting.

File 255-91-5

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[Mission Bay Port Land Transfer Agreement]

Resolution finding that certain proposed transfers of land in accordance with the Port Land Transfer Agreement (to be entered into by the City and Catellus Development Corporation in furtherance of Subsection 14.1(a) of the Development Agreement adopted and approved by Ordinance No. 60-91) are part of the Mission Bay Project for purposes of compliance with the California Environmental Quality Act and readopting the Mission Bay findings. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the December 18, 1991, meeting.

File 255-91-6

[Mission Bay Community Facilities District]

Resolution authorizing and approving actions to establish a Community Facilities District. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the December 18, 1991, meeting.

File 255-91-7

[Mission Bay City/Port Land Transfer Agreement]

Resolution finding and determining that certain proposed transfers of land are authorized by and consistent with the provisions of Chapter 1142 of the Statutes of 1991, Chapter 310 of the Statutes of 1987, and Chapter 1333 of the Statutes of 1968. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the December 18, 1991, meeting.

File 255-91-8

[Mission Bay Transportation Projects Agreement]

Resolution approving the Transportation Projects Agreement and authorizing the acceptance of donations and dedications of real property pursuant thereto and making findings in accordance with the California Environmental Quality Act. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the December 18, 1991, meeting.

File 255-91-9

Referred to Board

[Federal and State Funds]

Resolution authorizing the Executive Director of Parking and Traffic to apply for, accept and expend \$1,085,100 of Federal Emergency Relief Funds and \$99,900 of State funds for I-280 Earthquake Closure Mitigation Projects on City streets and take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work on City streets to mitigate the traffic disruption caused by the I-280 closure foregoing reimbursement of indirect costs. (Supervisor Shelley

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presented.) Referred to Board December 16, 1991, For Adoption Without Committee Reference Calendar.

File 192-91-3

Request for Hearings

File 127-91-16, By Supervisor Hsieh: To consider legislation to create a City-wide \$1,000 tax credit program for businesses that hire individuals who receive General Assistance and a \$1,000 salary savings credit for departments of the City that hire General Assistance recipients. Referred to Finance Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 27-91-8. [Airport - Lease Modification] Approving modification to the lease for operation of cafeterias, coffee shops, bars, and restaurants in the terminal buildings and in-flight kitchen and commissary building at San Francisco International Airport between Host International, Inc., and City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission). Finance.

File 45-91-68. [Settlement of Lawsuit] Authorizing settlement of litigation of Dorothy Kiely Healy against the City and County of San Francisco by payment of \$12,500. (City Attorney). Administration & Oversight.

File 45-91-69. [Settlement of Lawsuit] Authorizing settlement of litigation of Angus M. Pera against the City and County of San Francisco by payment of \$75,000. (City Attorney). Administration & Oversight.

File 45-91-70. [Settlement of Lawsuit] Authorizing settlement of litigation of Della Feely and Fergus Feely against the City and County of San Francisco by payment of \$16,875. (City Attorney). Administration & Oversight.

File 45-91-71. [Settlement of Lawsuit] Authorizing settlement of litigation of Sam Adams against the City and County of San Francisco by payment of \$20,000. (City Attorney). Administration & Oversight.

File 82-91-5.1. [Grant of Easements] Authorizing the conveyance of two water line easements totalling 1.35+ acres to the North Coast County Water District over and through Sharp Park in the City of Pacific; companion measure to File 82-91-5. (Real Estate Department). Finance.

File 96-91-4. [Sale of Property] Authorizing sale of surplus City-owned property located in Monterey County - \$20,000. (Real Estate Department). Finance.

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File 101-91-29. [Government Funding] Appropriating \$18,666, Superior Court, for permanent salaries, related mandatory fringe benefits, travel, training, other services and materials and supplies for the creation of one position; companion measure to 102-91-12. RO #91117. (Controller). Finance.

File 101-91-30. [Government Funding] Appropriating \$4,491,000, Department of Public Works, for capital improvement project (Islais Pump Station and Southeast Plant Design). RO #91119. (Controller). Finance.

File 102-91-12. [Public Employment] Amending Annual Salary Ordinance, 1991-92, Superior Court - Juvenile Justice Commission, reflecting the addition of one position (Classification 0589 Court Assistant, Superior Court); companion measure to File 101-91-29. (Civil Service Commission). Finance.

File 115-91-12. [Planning Fees] Amending City Planning Code by adding new Section 366 and renumbering Sections 366, 367, 368 of Article 3.5A and adding new Section 364, and renumbering Section 364 of Article 3.5 to impose new fees for reviewing applications relating to extension of deadline to comply with provisions of Section 179 (d) and Section 179 (f), of the Planning Code. (Department of City Planning). Finance.

Resolutions Referred to Committee

File 30-91-8.1. [State Agreement] Authorizing the Department of Public Health, Community Substance Abuse Services to enter into a cooperative agreement with the State of California, Department of Vocational Rehabilitation retroactive to July 1, 1991 in the amount of \$44,235 to provide vocational rehabilitation services to residents San Francisco who are currently receiving or require substance abuse treatment services; authorizing and directing the President of the Board to certify said agreement; companion measure to File 30-91-8. (Department of Public Health). Finance.

File 38-91-21. [Acceptance of Gift] Authorizing the San Francisco Public Library to accept and expend a gift of \$555,756 from the Library Foundation of San Francisco for design fees associated with the auditorium, meeting room complex, media center and eleven special rooms in the New Main Library. (Public Library). Finance.

File 38-91-22. [Acceptance of Gift] Accepting a gift to the San Francisco Public Library of up to \$1,500,000 from the Library Foundation, for lease/purchase for lease/purchase of library automation system. (Public Library). Finance.

File 48-91-10. [Settlement of Claim] Approving the settlement of the unlitigated claim of May Y. Hui in the amount of \$20,000. (City Attorney). Administration & Oversight.

File 61-91-6. [Contract Award Extension] Granting extension of time for awarding San Francisco Water Department Contract No. WD-2052, 8-Inch Ductile Iron Main Installation in Fremont Street between Market and Harrison Streets. (Public Utilities Commission). Finance.

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File 64-91-33. [Lease of Property] Authorizing extension of an existing lease of real property at 1155 Market Street, for the Public Utilities Commission. (Real Estate Department). Finance.

File 64-91-34. [Lease of Property] Authorizing a new sublease and cancellation of an existing lease of real property at 1235 Mission Street, for the Department of Social Services; companion measure to File 64-90-44, Resolution 1002-90. (Real Estate Department). Finance.

File 82-91-5. [Final Negative Declaration] Adopting Final Negative Declaration, finding and determining that the construction of a water distribution pipeline to provide water and fire protection to the clubhouse at the City's Sharp Park Golf Course will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration; companion measure to File 82-91-5.1. (Real Estate Department). Finance.

File 89-91-17. [State Disability Insurance] Authorizing enrollment of Classifications 0677 Judicial Secretary Coordinator, 0821 Superior Court Computer Coordinator and 0160 Assistant Director of Purchasing and Services in the State Disability Insurance Program. (Employee Relations Division). Administration & Oversight.

File 94-91-6. [Grant - State Funds] Authorizing the Public Utilities Commission to apply for, accept and expend \$194,534 from 1991-92 State Transit Capital Improvement Funds and \$194,534 from local match funds to provide financing for two Municipal Railway Guideway Projects. (Public Utilities Commission). Finance.

File 94-91-7. [Grant - State Funds] Authorizing the Public Utilities Commission to apply for, accept and expend \$16,605,946 from 1991-92 State Transit Capital Improvement Funds and \$16,605,946 from local match funds to provide financing for five Municipal Railway Guideway Projects. (Public Utilities Commission). Finance.

File 94-91-8. [Grant - Federal Funds] Authorizing the Public Utilities Commission to apply for, accept and expend \$7,532,454 in Section 9 Operating Assistance and \$26,819,276 of UMTA Section 9 Formula Assistance and \$6,704,819 from various local match sources such as from State Transit Capital Improvement Funds or State Urban Rail Bond Funds or State Clean Air and Transportation Improvement Act Bond Funds or regional local match funds such as State Transit Assistance Funds, State Transportation Development Act, Bridge Toll Net Revenues, Gas Tax Revenues, Hetch Hetchy Funds, Transit Impact Development Fee, San Francisco Municipal Railway Improvement Corporation Funds, and/or the San Francisco County Sales Tax Revenue for four Municipal Railway Projects. (Public Utilities Commission). Finance.

File 94-91-9. [Grant - Federal Funds] Authorizing the Public Utilities Commission to apply for, accept and expend \$50,000,000 of Federal Capital Assistance including the required local contribution from the State Transit Capital Improvement Program and/or Proposition 108 Urban Rail Bonds and/or Clean Air and Transportation Improvement Act of 1990 Funds and/or State Transit Assistance Funds and/or AB 664 Bridge Toll Revenues and/or Regional Measure One Toll Revenues and/or Transit Impact Development Fee, San Francisco

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Municipal Railway Improvement Corporation Funds, and/or Transportation Sales Tax Revenues to provide financing for construction of the Muni Metro Turnback. (Public Utilities Commission). Finance.

File 94-91-10. [Grant - State Funds] Authorizing the Public Utilities Commission to apply for, accept and expend \$20,500,000 from 1990-91 Urban Rail Bond Funding for San Francisco Municipal Railway Projects and \$20,500,000 from local match funds such as Transportation Sales Tax Revenue and/or Bay Area Rapid Transit District Extension Capital Reserve Funds to provide financing for four Municipal Railway Projects. (Public Utilities Commission). Finance.

File 94-91-11. [Grant - Federal Funds] Authorizing the Public Utilities Commission/Bureau of Energy Conservation to apply for, accept and expend \$60,000 in grant funds from the U.S. Department of Energy and the Urban Consortium for energy management activities; ratification of action previously taken. (Public Utilities Commission). Finance.

File 146-91-86. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of \$8,500,000, from the Health Resources and Services Administration to continue funding the Ryan White Comprehensive AIDS Resources Emergency (Care-Title I Formula) Disaster Relief Grant; waiving indirect costs. (Department of Public Health). Finance.

File 150-91-4. [Grant - Federal Funds] Approving the application for Land and Water Conservation funds in the amount of \$79,500 for Camp Mather Tentsite Project. (Recreation and Park Department). Finance.

File 156-91-5. [Federal Funding] Approving the 1991-92 expenditure plan for refugee targeted assistance funds and authorizing the President of the Private Industry Council of San Francisco, Inc., to sign, enter into, and execute in the state contract. (Private Industry Council). Finance.

File 170-91-10. [Airport Revenue Bonds] Approving the issuance of not to exceed \$225,000,000 principal amount of San Francisco International Airport Second Series Refunding Revenue Bonds, Issue 1; and establishing a maximum interest rate therefor. (Airports Commission). Finance.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that the City Attorney prepare legislation in proper form amending the Administrative Code, Section 12D instituting a MBE/WBE Subcontracting Program for construction contracts. (File 97-91-58)

By Supervisor Kennedy, that a letter be sent to the Mayor and Chief Administrative Officer urging the City to establish a "Holiday Food Barrel" for Project Open Hand.

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By Supervisor Kennedy, that a letter be sent to the Mayor and Human Rights Commission inquiring into a complaint received from the Council of Asian American Business Association of California regarding the Mission Bay Development Agreement.

By Supervisor Alioto, that a letter be sent to the General Manager of Municipal Railway inquiring into policies related to complaints against drivers in general and regarding complaints about drivers who do not stop for passengers. In particular the Supervisor inquires what is the investigation process; what follow-up is provided to the complainant; how seriously does the Department treat such complaints; what records are kept of "problem drivers" (those who receive repeated complaints), etc.

By Supervisor Hsieh, that the City Attorney prepare legislation to create a City-wide \$1,000 tax credit program for businesses that hire individuals who receive General Assistance and a \$1,000 salary savings credit for departments of the City that hire General Assistance recipients. (File 127-91-16)

By Supervisor Kennedy, that a letter be sent to the City Attorney inquiring as to the legality of the Economic Opportunity Council using money accrued in a savings account to establish a pension/retirement fund for their Board and/or employees.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Jack Morrison (Entire Board)
Don Dianda (Supervisor Alioto)
Park Louie (Supervisor Hsieh)
Mrs. Guadalupe Rodriguez Matys (Supervisor Gonzalez)
Stan Hadden (Supervisors Achtenberg, Migden, Britt)

File 2-91-48

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:42 p.m. adjourned.

John L. Taylor, Clerk

Monday, December 9, 1991

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 16, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 86

No. 49

2.2
2/16/91

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Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, December 16, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Doris M. Ward, the meeting was called to order at 2:05 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Britt, Hallinan, Kennedy, Maher, Migden, Shelley - 7.

Noted absent at first roll call:

Supervisors Alioto, Gonzalez, Hsieh, Ward - 4.

Quorum present.

Supervisor Alioto was noted present at 2:09 p.m.

Supervisor Gonzalez was noted present at 2:15 p.m.

Supervisor Hsieh was noted present at 2:24 p.m.

Supervisor Ward excused, on official leave of absence.

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Britt, seconded by Supervisor Achtenberg, moved that Supervisor Kennedy be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Hallinan, Kennedy, Maher, Migden, Shelley - 7.

Absent: Supervisors Alioto, Gonzalez, Hsieh, Ward - 4.

Supervisor Kennedy thereupon assumed the Chair.

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APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Migden, seconded by Supervisor Achtenberg, moved that the Journal of Proceedings for Monday, March 11, 1991, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Britt, Hallinan, Kennedy, Maher, Migden, Shelley - 7.

Absent: Supervisors Alioto, Gonzalez, Hsieh, Ward - 4.

*

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$23,000,000, Department of Public Health - Community Mental Health Services, for various capital improvement projects, for the creation and deletion of one position, for fiscal year 1991-92; placing \$21,624,800 on reserve. (Controller)

File 101-91-10, Ordinance No. 413-91

Finally passed.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1991-92, Department of Public Health, San Francisco General Hospital, reflecting the addition and deletion of one position Classification A942 Senior Associated Administrator, for the 1987 Mental Health Skilled Nursing Facility Bond Program; companion to File 101-91-10. (Civil Service Commission)

File 102-91-5, Ordinance No. 419-91

Finally passed.

[Government Funding]

Ordinance appropriating \$20,000, Municipal Railway, for permanent salaries, mandatory fringe benefits, for the creation of one position, for fiscal year 1991-92; no General Fund monies shall be used to fund this position. (Controller)

File 101-91-20, Ordinance No. 414-91

Finally passed.

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[Public Employment]

Ordinance amending Ordinance No. 304-91, Annual Salary Ordinance, 1991-92, Municipal Railway, reflecting the addition of one position (Classification 1771 Media Production Specialist); companion measure to File 101-91-20. (Civil Service Commission)

File 102-91-9, Ordinance No. 420-91

Finally passed.

[Government Funding]

Ordinance appropriating \$185,000, Port Commission, for judgements and claims, for fiscal year 1991-92. (Controller)

File 101-91-22, Ordinance No. 415-91

Finally passed.

[Government Funding]

Ordinance appropriating \$95,018, Department of Public Health, Central Office, for permanent salaries-miscellaneous and related mandatory fringe benefits, other current expenses and materials and supplies, for the creation of four positions, for fiscal year 1991-92. (Controller)

File 101-91-25, Ordinance No. 417-91

Finally passed.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1991-92, Department of Public Health, Central Office for HIV Youth Outreach by the AIDS Office, reflecting the addition of four positions (Classifications (1) 2819 Assistant Health Educator (2) 9912 Public Service Aide-Technical and (1) 9924 Public Service Aide-Health Services); companion measure to File 101-91-25. (Civil Service Commission)

File 102-91-11, Ordinance No. 422-91

Finally passed.

[Government Funding]

Ordinance appropriating \$200,000, Public Works, for capital improvement project (Civic Center Power House Safety Improvements) for fiscal year 1991-92; placing \$160,000 on reserve. (Controller)

File 101-91-27, Ordinance No. 418-91

Finally passed.

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[War Memorial Concession Agreement]

Ordinance approving the five year extension of agreement retroactively between Restaura, Division of Dial Corporation, and the War Memorial Board of Trustees. (War Memorial and Performing Arts Center)

File 62-91-6, Ordinance No. 412-91

Finally passed.

[Amendment to Terminal Operating Agreement]

Ordinance approving Fifth Amendment with Fred F. Noonan Company Inc., to increase service area at Seawall Lot 349 and to provide for annual reporting procedures of sublease revenues. (Port)

File 173-91-9, Ordinance No. 424-91

Finally passed.

Adopted

[Contract Award Extension]

Resolution granting extension of time for awarding Municipal Railway Contract No. MR-889R; Flynn Facility Modifications. (Public Utilities Commission)

File 61-91-5, Resolution No. 1089-91

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Special Programs for Youths as subgrantee, to accept and expend a grant of \$30,860, which includes no indirect costs, from Catholic Charities as the primary grantee, from the Office of Human Development Services, U.S. Health and Human Services, for health care services to homeless youth; waiving indirect costs. (Department of Public Health)

File 146-91-82, Resolution No. 1091-91

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of \$2,468,345, which includes indirect costs of \$268,122 based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control to continue funding the AIDS Surveillance Project. (Department of Public Health)

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File 146-91-85, Resolution No. 1093-91

Adopted.

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Yolanda Terry against the City and County by payment of \$12,000. (City Attorney)

File 45-91-61, Ordinance No. 409-91

(Municipal Court No. 001-033.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Maria-Ester De Anda against the City and County by payment of \$11,000. (City Attorney)

File 45-91-63, Ordinance No. 410-91

(Municipal Court No. 028-239.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Douglas K. Cowger against the City and County by payment of \$40,000. (City Attorney)

File 45-91-64, Ordinance No. 411-91

(Superior Court No. 876-351.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Gonzalez, Hsieh, Ward - 3.

REGULAR CALENDAR

Monday, December 16, 1991

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$37,598, Police Department, for permanent salaries-miscellaneous and related mandatory fringe benefits, for the creation of one position for fiscal year 1991-92; subject of previous budgetary denial; placing \$10,902 into general reserve. (Controller)

File 101-91-23, Ordinance No. 416-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Gonzalez, Hsieh, Ward - 3.

[Public Employment]

Ordinance amending Ordinance No. 304-91, Annual Salary Ordinance, 1991-92, Police Department, reflecting the addition of one position Classification 5320 Illustrator and Art Designer; companion measure to File 101-91-23. (Civil Service Commission)

File 102-91-10, Ordinance No. 421-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Gonzalez, Hsieh, Ward - 3.

(Supervisor Hallinan dissenting in Committee.)

[Business/Payroll Expense Tax Exemptions]

Ordinance amending Article 12-A of Part III of San Francisco Municipal Code (Payroll Expense Tax Ordinance) by amending Section 906 thereof to exempt from tax any tenant of the Port of San Francisco whose principal business is ship repair and whose workforce consists of at least thirty percent San Francisco residents, and to also exempt any subcontractor of any such exempt ship repair business whose workforce consists of at least thirty percent San Francisco residents, provided that it derives at least seventy percent of its revenues from the ship repair industry; and amending Article 12-B of Part III of the San Francisco Municipal Code (Business Tax Ordinance) by adding Section 1005.4 thereto to exempt from tax any tenant of the Port of San Francisco whose principal business is ship repair and whose workforce consists of at

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least thirty percent San Francisco residents, and to also exempt any subcontractor of any such exempt ship repair business whose workforce consists of at least thirty percent San Francisco residents, provided that it derives at least seventy percent of its revenues from the ship repair industry; operative date of July 1, 1992, and expiring June 30, 1994. (Supervisor Gonzalez)

File 127-91-13, Ordinance No. 423-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Migden, Shelley - 8.

Noes: Supervisors Hallinan, Maher - 2.

Absent: Supervisor Ward - 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$269,250, Department of City Planning, for capital improvement project (Mission Bay Project), for fiscal year 1991-92; providing for ratification of action previously taken. (Controller)

File 101-91-28, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Gonzalez, Hsieh, Ward - 3.

Adopted

[Claims Against the Government]

Resolution waiving the Statute of Limitations with respect to payment of certain warrants of City and County, in the sum of \$5,219.60 a legal obligation of the City and County of San Francisco. (Department of Public Health)

File 23-91-5, Resolution No. 1088-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

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Absent: Supervisors Achtenberg, Ward - 2.

(Supervisor Gonzalez dissenting in Committee.)

[Lease of Property]

Resolution authorizing amendment to lease of real property at 471 Jessie Street, ground floor for the Department of Public Health for use as an outpatient mental health clinic. (Real Estate Department)

File 64-91-32, Resolution No. 1090-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Gonzalez, Hsieh, Ward - 3.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of \$6,099,135, which includes indirect costs of \$408,726 based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control to continue funding the AIDS/HIV Prevention Project; placing \$449,069 on reserve. (Department of Public Health)

File 146-91-83, Resolution No. 1092-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Gonzalez, Hsieh, Ward - 3.

Recess

The Board at the hour of 2:51 p.m. took a brief recess since the following items required nine (9) votes for passage.

Reconvening of the Board

The Board, at the hour of 3:03 p.m., reconvened.

SPECIAL ORDER - 3:00 P.M.

Monday, December 16, 1991

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

[Public Hearing]

Hearing to consider amending the Administrative Code by amending Section 16.87 and deleting Section 16.88 thereto - waiver of pensions.

File 97-91-59

Supervisor Hsieh, seconded by Supervisor Maher, moved that the Board resolve itself into a Committee of the Whole.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Ward - 2.

The President inquired if there was anyone present desiring to speak.

There being no response, the President declared the hearing closed.

Passed for Second Reading

[Pensions]

Ordinance amending the Administrative Code by amending Section 16.87 and deleting Section 16.88 thereto - waiver of pensions.
(Supervisor Ward)

File 97-91-59, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Ward - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of all persons interested in or objecting to the recommendations of the Public Utilities Commission for discontinuance of partial services of Municipal Railway Line 1-California during weekday, daytime periods on Clay Street between Davis and Drumm Streets, and on Drumm Street between Clay and Sacramento Street.

File 7-91-17

Monday, December 16, 1991

(Filed November 19, 1991.)

The President inquired if there was anyone present desiring to speak.

The privilege of the floor was granted to the following:

Mr. Denelri
Mr. David Pilpel

There being no one else present wishing to speak, the President declared the hearing closed.

Adopted

(Only one of the following two resolutions should be adopted.)

[Public Transportation]

Resolution approving the partial discontinuance of service of Municipal Railway Line 1-California. (Public Utilities Commission)

File 7-91-17, Resolution No. 1087-91

Supervisor Maher, seconded by Supervisor Hsieh moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Britt, Gonzalez, Ward - 4.

Tabled

[Public Transportation]

Resolution disapproving the partial discontinuance of service of Municipal Railway Line 1-California. (Public Utilities Commission)

File 7-91-17.1, Resolution No.

Supervisor Migden, seconded by Supervisor Hsieh, moved to table.

Motion to table adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Britt, Gonzalez, Ward - 4.

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PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Lawrence Phillip
Mr. DeNeri

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Federal and State Funds]

Resolution authorizing the Executive Director of Parking and Traffic to apply for, accept and expend \$1,085,100 of Federal Emergency Relief Funds and \$99,900 of State funds for I-280 Earthquake Closure Mitigation Projects of City streets and take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work on City streets to mitigate the traffic disruption caused by the I-280 closure foregoing reimbursement of indirect costs. (Supervisor Shelley)

File 192-91-3, Resolution No. 1078-91

(December 9, 1991 - Introduced in Board for consideration on December 16, 1991.)

Adopted.

The foregoing item on the For Adoption Without Committee Reference Calendar was acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Ward - 2.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this

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calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-49, Resolution No. 1079-91

(Harry Britt, member, Board of Supervisors, December 19-January 6; Arnold Chin, member, Department of Parking and Traffic, December 1-9; Joyce Ream, Executive Director, Commission on the Aging, December 10-13; Louise Renne, City Attorney, November 30-December 7; L.A. Turpen, Director of Airport, December 26, 1991-January 2, 1992.)

Adopted.

[New Residential Condominium Project]

Motion approving final map of 160 Clara and 151 Shipley Streets, also known as Clara Street Townhomes, a condominium, being a resubdivision of Lot 108, in Assessor's Block 3752; and adopting findings pursuant to City Planning Code Section 101.1 (Supervisor Ward)

File 58-91-36

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Updating Triplicate Prescription List]

Resolution urging the State Legislature to update existing laws concerning triplicate prescriptions to include Benzodiazepines, and encouraging the Legislature and the Governor to take appropriate steps to initiate and to enact legislation that would accomplish that objective.

File 12-91-50, Resolution No. 1080-91

Supervisor Kennedy presented on behalf of Supervisor Ward for immediate adoption.

Adopted.

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[Public Employment Program]

Resolution joining the National League of Cities in their petitioning the United States Congress and the Federal government to reinstate the Public Employment Program (P.E.P.), as authorized under the Emergency Employment Act of 1971.

File 13-91-30, Resolution No. 1081-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Repeal of Federal Restrictive Provisions]

Resolution joining the National League of Cities and urging the President of the United States and the United States Congress to repeal current budget reconciliation measures which restrict transfer of defense spending savings to other domestic programs.

File 13-91-31, Resolution No. 1082-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[AFDC Benefit Reductions]

Resolution opposing Governor Wilson's 1992 ballot initiative and budget proposal to cut Aid to Families with Dependent Children (AFDC) benefit levels by 10 percent and, after six months on welfare, an additional 15 percent. (Supervisor Alioto presented.)
Adopted.

File 107-91-7, Resolution No. 1083-91

Supervisor Alioto presented for immediate adoption.

Adopted.

[Water Conservation]

Resolution recommending for consideration by local government officials water conservation measures adopted by the Board of Supervisors of the City and County of San Francisco.

File 221-91-2, Resolution No. 1084-91

Supervisors Migden, Achtenberg presented for immediate adoption.

Adopted.

[Employment Discrimination]

Resolution reaffirming the policy of the City and County of San Francisco to respect the right of all citizens to seek and maintain employment free of the concern of discrimination based upon sexual orientation, supporting the ballot initiative being circulated that

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would ban employment discrimination against lesbians, gay men and bisexuals in the State of California, and encouraging San Franciscans to sign this initiative.

File 238-91-2, Resolution No. 1085-91

Supervisors Britt, Achtenberg, Migden presented for immediate adoption.

Adopted.

[Log Cabin Ranch]

Resolution amending Resolution 1014-91; requesting the Mayor to support the recommendations of Ms. Ruth M. Cowan, Commissioner of the Juvenile Justice Commission and member of the Log Cabin Ranch Task Force and Mr. Michael H. Fuller, Director of the Juvenile Justice Commission and member of the Log Cabin Ranch Task Force. (Supervisor Kennedy presented.) Adopted.

File 254-91-1.1, Resolution No. 1086-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Ward - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Charter Amendment]

(Skeletal) Amending Sections 8.409, 8.409-1, 8.409-2, 8.409-3, 8.409-4, 8.409-5, and 8.409-6 relating to rights and obligations of employees and employer concerning bargaining and impartial arbitration of employment disputes for miscellaneous employees. (Supervisor Shelley presented.) Referred to Administration and Oversight Committee.

File 229-91-4

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[Charter Amendment]

(First Draft) Adding Section 6.209 relating to establishing the funding level requiring a set percentage of the general fund to be devoted to the protection and maintenance of the City's infrastructure. (Supervisor Gonzalez presented.) Referred to Administration and Oversight Committee.

File 265-91-1

[Charter Amendment]

(First Draft) Amending Section 7.100 relating to maintenance of inventories of materials, supplies, and equipment. (Supervisor Gonzalez presented.) Referred to Administration and Oversight Committee.

File 266-91-1

[Charter Amendment]

(Skeletal) Amending the charter relating to restructuring of City government. (Supervisor Shelley presented.) Referred to Administration and Oversight Committee.

File 267-91-1

[Charter Amendment]

(Skeletal) Amending the charter to create an Environmental Authority. (Supervisor Shelley presented.) Referred to Administration and Oversight Committee.

File 268-91-1

[Charter Amendment]

(Skeletal) Amending Sections 3.530 and 3.530-2 relating to the Office of Citizens Complaints. (Supervisor Kennedy presented.) Referred to Administration and Oversight Committee.

File 269-91-1

[Charter Amendment]

(Skeletal) Amending Section 3.510 and 4.103 relating to transferring functions and personnel of the County Clerk to the Department of Governmental Services, City and County of San Francisco. (Supervisor Kennedy presented.) Referred to Administration and Oversight Committee.

File 273-91-1

[Charter Amendment]

(Skeletal) Amending the charter relating to taxicab regulations. (Supervisor Hallinan presented.) Referred to Administration and Oversight Committee.

File 274-91-1

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[Legislation - State AB 204]

Resolution urging the Mayor to direct the City's Lobbyist to urge the State Legislature to amend AB 204 (Cortese) to allow San Francisco to select a Seismic Safety Program for unreinforced masonry buildings based on local studies and considerations. (Supervisor Hsieh presented.) Referred to Economic and Social Policy Committee with request it be calendared at the January 14, 1992, meeting.

File 12-91-51

[Use of Military Resources to Fight Drugs]

Resolution joining the National League of Cities in urging the President of the United States to further defend this nation from invasion of drugs by use of military or any other means necessary. (Supervisor Kennedy presented.) Referred to Economic and Social Policy Committee.

File 13-91-32

[General Obligation Bonds]

Resolution determining and declaring the public interest and necessity demand the acquisition, construction by the City and County of San Francisco of the following municipal improvement, to wit: improvements to the heating system within the Civic Center area, necessary pipelines, hot water boiler system, together with construction and reconstruction necessary or convenient to improve and replace the Civic Center heating system, that the estimated cost of \$21,220,000 for said municipal improvement is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 170-91-11

[General Obligation Bonds]

Resolution determining and declaring the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of San Francisco of the following municipal improvements, to wit: improvements to the Civic Center Plaza and Fulton Street Mall, landscaping and street lighting surrounding the City Hall and areas immediately adjacent thereto, including construction and reconstruction necessary or convenient to improve Civic Center Plaza and Fulton Street Mall, City Hall landscaping and properties adjacent thereto, that the estimated cost of \$26,700,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 170-91-12

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[General Obligation Bonds]

Resolution determining and declaring the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of San Francisco of the following municipal improvement, to wit: construction of additions to the Civic Center Parking Garage to increase the size of the existing garage including asbestos abatement and providing access for the disabled including construction and reconstruction necessary or convenient to complete the expansion of the Civic Center Parking Garage, that the estimated cost of \$24,000,000 for said municipal improvement is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 170-91-13

[General Obligation Bonds]

Resolution determining and declaring the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of San Francisco of the following municipal improvements, to wit: repair, reforestation and rehabilitation of Golden Gate Park including water system supply and irrigation, lakes and water courses, utilities including street lighting and security lighting, repair and rehabilitation of park features, landscaping, restrooms including disabled access thereto and all other work necessary or convenient to provide for the repair and rehabilitation of Golden Gate Park features, including reforestation, that the estimated cost of \$78,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 170-91-14

[Panhandle Paved Parking]

Resolution urging the Mayor to urge the Recreation and Park Commission not to remove the paved parking lot located off of Masonic Avenue in the Panhandle neighborhood, and further urging that this parking lot be maintained by the Recreation and Park Commission. (Supervisors Hallinan, Migden presented.) Referred to City Services.

File 193-91-12

Referred to Board

[Federal Funds]

Resolution amending Resolution No. 491-91, authorizing a grant of Urban Development Action Grant Revolving Loan Funds in the amount of \$1,806,835 to the Mission Armory Foundation, by authorizing a grant of said funds for the acquisition and development of real property and other appropriate economic development activities in the Mission District in connection with eligible activities under Title I of the

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Housing and Community Development Act of 1974. (Supervisor Gonzalez presented.) Referred to Board January 6, 1992, For Adoption Without Committee Reference Calendar.

File 216-91-1.1

Requests for Hearings

File 83-91-1, By Supervisor Migden: To consider the creation of a voucher program for homeless people based on the Berkeley Cares model. Referred to Economic and Social Policy Committee.

File 115-91-13, By Supervisors Hsieh, Gonzalez: To consider legislation amending Section 719.1 of the City Planning code to require conditional use approval for drive-up facilities. Referred to Economic and Social Policy Committee.

File 118-91-10, By Supervisor Alioto: To consider legislation banning cigarette smoking in restaurants. Referred to City Services Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 97-91-56. [Public Health Membership List] Amending Administrative Code by amending Section 16.6-10 thereof, adding certain organizations to the membership list of the Department of Public Health. (Department of Public Health). Finance.

File 97-91-57. [Amnesty-Surrender of Firearms Program Special Fund] Amending Administrative Code by adding Section 10.117-105, thereto, establishing a special fund for the receipt and expenditure of funds for the amnesty-surrender of firearms. (Police Commission). Finance.

File 101-91-31. [Government Funding] Adjusting revenue and expenditure appropriations for Public Health Department in the General Fund, Tobacco Tax Fund, Health and Welfare Realignment Fund, Hospital Operating Fund and Laguna Honda Operating Fund, reflecting revenue adjustments, for Fiscal Year 1991-92 resulting from State Budget adoption. RO #91089. (Controller). Finance.

File 101-91-32. [Government Funding] Adjusting revenue & expenditure appropriations for the Department of Social Services in the General Fund, Welfare Assistance and Administration Fund and Health and Welfare Realignment Fund, reflecting revenue adjustments, resulting from State Budget adoption for Fiscal Year 1991-92. RO #91090. (Controller). Finance.

File 101-91-33. [Government Funding] Appropriating \$14,053, Department of Public Health, for permanent salaries-miscellaneous, rescinding \$14,053 from permanent salaries-miscellaneous, for the creation of one position and deletion of one position; companion measure to File 102-91-13. RO #91089A. (Controller). Finance.

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File 101-91-34. [Government Funding] Appropriating \$667,685, Sheriff Department, for professional services - Prop J. RO #91118. (Controller). Finance.

File 101-91-35. [Government Funding] Appropriating \$25,000, City Attorney for litigation expenses. RO #91121. (Controller). Finance.

File 102-91-13. [Public Employment] Amending Annual Salary Ordinance, 1991-92, Department of Public Health, Central Office, reflecting the addition of one position and deletion of one position to reflect changes in the State budget as a result of realignment and reauthorization of Proposition 99. (Civil Service Commission). Finance.

File 102-91-14. [Public Employment] Amending Annual Salary Ordinance, 1991-92, Department of Social Services, reflecting the addition of ninety-three positions. (Civil Service Commission). Finance.

Introduced by the President at the Request of Departments

Resolutions Referred to Committee

File 28-91-14. [Emergency Repair] Authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace the sewer in the basement in Block 2841 between Castenada Avenue and Laguna Honda Boulevard. (Department of Public Works). Finance.

File 68-91-7. [Juvenile Justice - Delinquency Prevention Grant] Authorizing the Mayor of the City and County of San Francisco to apply for, accept and expend funds in the amount of \$6,645 made available through the Office of Criminal Justice Planning for a project entitled "1991/92 JJDP Planning Grant" and agreeing to provide local matching funds in the amount of \$6,645. (Mayor). Finance.

File 68-91-8. [Juvenile Justice - Delinquency Prevention Grant] Authorizing the Mayor of the City and County of San Francisco to apply for, accept and expend funds in the amount of \$47,376 made available through the Office of Criminal Justice Planning for a project entitled "Chinatown Youth Center". (Mayor). Finance.

File 89-91-18. [State Disability Insurance] Authorizing enrollment of Classification 1150 General Manger, Department of Electricity in the State Disability Insurance Program. (Office of the Mayor's Employee Relations Division). Administration & Oversight.

File 148-91-1.1. [Grant - State Funds] Authorizing the Director of Public Works to expend up to \$1,641,494, from the State of California for roadway work on City streets in accordance with the State-Local Transportation Partnership Program (2nd Cycle). (Department of Public Works). Finance.

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File 172-91-20. [Indemnification Agreement] Authorizing an Indemnification Agreement with the Southeastern Pennsylvania Transportation Authority (SEPTA) for the purchase of nineteen (19) surplus P.C.C. Type Streetcars. (Public Utilities Commission). Finance.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Migden, that a letter be sent to the Chief of Police inquiring whether the Police Department's General Orders require police officers to provide first aid at an automobile accident or other incident? If so, does the Department require that all police officers carry rubber gloves or otherwise have them immediately available to assure that they are in a position to provide first aid if required?

By Supervisor Kennedy, that the City Attorney prepare a charter amendment amending Section 3.530 and 3.530-2 relating to the Office of Citizens Complaints. (File 269-91-1)

By Supervisor Alioto, that the City Attorney prepare legislation banning cigarette smoking in restaurants. (File 118-91-10)

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Sarah Kearney (Supervisor Britt)
Juana Chavez (Supervisors Gonzalez, Maher)
Herman Griffin (Supervisors Alioto, Ward)

File 2-91-49

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:18 p.m. adjourned.

John L. Taylor, Clerk

Monday, December 16, 1991

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 16, 1992.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

